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Hamilton, Ont. Council

AGENDAS OF THE COUNCIL

June 25, 1985 - Oct. 8 '85

URBAN/MUNICIPAL









*2. J. H. Con*

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1985

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, 1985 June 25  
7:30 o'clock p.m.  
Council Chambers  
City Hall

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**A G E N D A**

1. Prayer
2. Presentation - Historic Model Society of London,  
Re: HAMILTON-SCOURGE Project
3. Minutes of meeting held 1985 May 28
4. Correspondence:
  - (a) Letter dated 1985 June 04 from the Government of Canada,  
Foreign Investment Agency - attached
5. Reports of Standing Committees - attached:
  - A Transport and Environment Committee
  - B Parks and Recreation Committee
  - C Planning and Development Committee
  - D Legislation Committee
  - E Personnel Committee
  - F Finance Committee
  - G Mayor R. M. Morrow
6. Notices of Motion for next meeting
7. First reading of Bills
8. Second reading of Bills - Committee of the Whole
9. Third reading of Bills
10. Question period
11. Adjournment









Government  
of Canada

Gouvernement  
du Canada

Foreign Investment  
Review Agency

Agence d'examen de  
l'investissement étranger

Commissioner

Commissaire

P.O. Box 2800  
Postal Station 'D'  
Ottawa, Canada  
K1P 6A5

B.P. 2800  
Succursale postale 'D'  
Ottawa, Canada  
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JUN 11 1985  
CITY CLERK'S

June 4, 1985

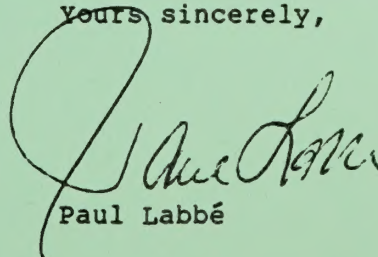
Mr. K.E. Avery  
Deputy City Clerk  
The Corporation of the City of Hamilton  
City Hall  
Hamilton, Ontario  
L8N 3T4

Dear Mr. Avery:

Thank you for your letter of May 15, enclosing a copy of the resolution adopted by the Hamilton City Council opposing the purchase of Canadian Porcelain's assets by Lapp Insulator Company, and urging support of the Workers Cooperative proposal.

Lapp has recently submitted an application under the Foreign Investment Review Act to reactivate Canadian Porcelain's plant at Hamilton. In this connection, we have taken note of the Council's resolution and I can assure you that it will be fully taken into account in the review of Lapp's application.

Yours sincerely,



Paul Labbé







**TRANSPORT AND ENVIRONMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **NINTH** Report for 1985 and respectfully recommends:

1. That the necessary by-law be prepared by the City Solicitor and that the City Clerk be authorized and directed to advertise the by-law as required by Section 301 of the Municipal Act, outlining the City's intention to proceed with the temporary stopping-up (for five months) and closing to vehicular traffic only and not to pedestrian traffic, portions of Bay Street at Simcoe Street, MacNab Street at Strachan Street and Simcoe Street at Bay Street.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

R. C. Prowse, Secretary

1985 June 03



## TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TENTH** Report for 1985 and respectfully recommends:

1. That, with respect to the action brought by the City of Hamilton against the **Toronto, Hamilton and Buffalo Railway Company (T.H. & B.) and Canadian Pacific Limited (C.P.)**, Council agree, in principle, with the conditions outlined in the "Minutes of Settlement", relative to this action, **appended hereto**.
2. That Council endorse the actions of the Transport and Environment Committee in authorizing the erection of a **banner across Main Street** publicizing a car rally hosted by Young Drivers of Canada, Monday, May 20, 1985 to Monday, May 27th, 1985.
3. That Council endorse the actions of the Transport and Environment Committee in granting the request of the **Hamilton International Air Show** to host a barbecue on Friday, June 7th and a VIP area from Saturday, June 8th to Sunday, June 9th, 1985 at the Hamilton Air Show.
4. That the application for **exemption from Noise Control By-law 79-292**, as submitted by Terminal Towers, be accepted by Council.

NOTE: Mr. D. F. Wessel, on behalf of Terminal Towers, has applied for exemption from Noise Control By-law 79-292. Terminal Towers is planning to do some renovation work to their car park at 105 Main Street East. The work involves removing and replacing of asphalt and concrete. The proposed exemption dates are June 30, July 7 and July 14, 1985, three consecutive Sundays. Work on Sunday is required for various scheduling reasons not the least of which is Terminal Towers' wish to minimize the overall period of disturbance to their neighbours. In addition the applicant has indicated that noisy work on Sundays will be kept to a minimum and restricted to times between 11:00 a.m. and 7:00 p.m.

5. That the Chairman of the Transport and Environment Committee or his designate be authorized to attend the **1985 Water Pollution Control Federation Conference-Exposition** in Kansas City, Missouri to be held October 6-10, 1985.
6. **RANTEX BRUSHES INC., 82 Welham Rd., Barrie, Ontario**

Supply and Delivery of Broom Stock in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Item #1 - 36 Pick-up Brooms.....	\$11 163.10
Item #2 - 200 QC200 Gutter Brooms .....	20 758.00
Item #3 - 24 Nylon Strip Brushes .....	<u>338.08</u>

Total all charges included ..... \$32 259.18

NOTE: Item #1 - Lower of 2 tenders. Item #2 - Only acceptable tender.  
Item #3 - Only tender. Funding provided in account 0348-0267.



7. MURRAY HYDRONICS LTD, Hamilton, Ontario

Supply and Delivery of One (1) PVC Replacement Wet Deck Kit for Baltimore Aircoil Cooling Tower at Hamilton Public Library, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of ..... \$10 828.40  
All Charges Included.

NOTE: Lower of 2 tenders received. Funding provided in account 0333-0731 and 0333-0831.

The above has been processed through the emergency procedures of the City of Hamilton purchasing policy, that states "An order can be placed on approval of two of the following: The Mayor, The Appropriate Committee Chairman, the C.A.O., and that any action taken under this provision to be reported to the next regular meeting of Council".

8. WESTBURNE ELECTRIC SUPPLY CO. LTD., Hamilton, Ontario

Supply and Delivery of Traffic Cable in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

2700 Meters of 50 Conductor Cable for Aerial Installations .....	\$12 220.47
1370 Meters of 50 Conductor Cable for Underground Duct Installations .....	5 277.24
1800 Meters of #14 Conductor Cable.....	6 240.24
1200 Meters of #9 Conductor Cable.....	2 876.16
1200 Meters of #7 Conductor Cable.....	<u>2 375.40</u>

All charges included ..... \$28 989.51

NOTE: Second lowest tender received. Funding Provided in account 0394-3323.

The above has been processed through the emergency procedures of the City of Hamilton purchasing policy, that states "An order can be placed on approval of two of the following: The Mayor, The Appropriate Committee Chairman, the C.A.O., and that any action taken under this provision to be reported to the next regular meeting of Council".

9. FORTTRAN TRAFFIC SYSTEMS LTD., Willowdale, Ontario

Supply and delivery of Traffic Signal Controllers in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Three Digital Solid State Vehicle Actuated Traffic Controllers at \$7 253 ea. .	\$21 759.00
Five Solid State Pre-Timed Traffic Controllers at \$4 369 ea. ....	21 845.00
Five Cabinets for above at \$1 070 ea. ....	5 350.00
.....	<u>48 954.00</u>
5% Discount for total order.....	2 447.70
.....	<u>46 506.30</u>
Ontario Retail Sales Tax Extra @ 7% .....	3 255.44
Total Contract.....	<u>\$49 761.74</u>

NOTE: These units are being purchased for Regional installations performed by the City and will be charged back to the Region. Regional representatives have been consulted and agree with the recommendation.



Recommendation is based on only equipment which meets the specifications.

In addition, the recommended company has the lowest implementation cost which includes the staff training costs.

The necessary funding is from account 0394-3323.

10. OWL-LITE SIGNS INC., Rexdale, Ontario

Supply and Delivery of Sign Blanks, in various sizes, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the sum of . . . . \$14 906.45  
Federal & Ontario Sales Tax Exempt.

NOTE: Lowest of 5 tenders. Funding provided in account 0394-3325.

11. That:

- i. An additional amount of \$600 000 be added to the **1985 Snow Control Accounts**
- ii. An additional amount of \$60 000 be added to the 1985 Storm Damage Trees Account
- iii. The Finance Committee recommend the method of financing.

12. That **fifty acres of land at Hamilton Civic Airport** be leased to **Mr. Barry Jerome** for farming purposes, commencing January 1, 1985 and terminating December 31, 1985, at a rent of \$500 plus taxes.

13. i. Approval of the **sale of the road allowance between 213 and 225 Young Street**, measuring 64.48 feet (19.6m) along the northerly limit of Young Street, containing 907 square feet (84.26m) more or less, to Rifle Investments Limited for the sum of \$4 535, to be credited to account 0280-02. The document was executed on April 25, 1985 and is scheduled to close 60 days after the enactment by the City of a by-law to stop-up, close and sell the subject parcel. A certified deposit cheque in the amount of \$450 is being held by the City Treasurer pending approval.
- ii. That the City Solicitor be directed to prepare a by-law to stop-up, close and sell the road allowance between 213 and 225 Young Street pursuant to Sections 298 and 316 of the Municipal Act, R.S.O. 1980.
- iii. That the City Clerk be directed to publish a Notice pursuant to Section 301 of the Municipal Act, of City Council's intention to pass the proposed by-law.

14. WHEREAS an application has been received from Mr. J. Greenberg, Solicitor, of record for Rifle Investments Limited, the abutting property owner, to **close that part of 132-136-140 Wellington Street South**, that abuts the Young Street road allowance between 225 and 213 Young Street, and

WHEREAS the affected Civic Departments, Utility Companies and the Region have no objection to this closing,

IT IS THEREFORE RECOMMENDED:



- i. That the City Solicitor be directed to prepare a proposed by-law for the closing, stopping-up and sale to the abutting owner, that part of 132-136-140 Wellington Street South, that abuts the Young Street road allowance, pursuant to the Municipal Act, R.S.O. 1980.
  - ii. That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act of City Council's intention to pass the proposed by-law.
  - iii. That this part be sold to Rifle Investments Limited for the sum of \$4 535.00 in an offer dated April 25, 1985, and scheduled to close 60 days after the enactment by the City of a by-law to stop-up, close and sell.
  - iv. That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Section 48 of the Regional Act.
  - v. That the applicant prepare and register a reference plan, prepared by an Ontario Land Surveyor, delineating the extent of the closure. The plan shall be to the satisfaction of the Regional Surveyor, and a reproducible copy of this plan to be deposited with the Regional Surveyor.
  - vi. That Section 24 of the Fifteenth Report of the Transport and Environment Committee, adopted by City Council on September 25, 1984, granting the applicant permission for an encroachment agreement, be rescinded.
15. That the lands known as 74 and 76 Arkledun, be retained by the City as open space.
16. That:
- i. the leasing of 788 West 5th Street to Richard Bell and Susan Bell commencing June 1, 1985 at a one time rental of \$150 and commencing July 1, 1985 the monthly rental being \$400 including realty taxes, be approved.
  - ii. the Mayor and City Clerk be authorized to execute the Tenancy Agreement.
17. That approval be given to the following **rental charges for the East/West apron area** for aircraft parking for the period April 1st to November 30, 1985.
- |  |                       |
|--|-----------------------|
| Hamilton Flying Club<br>4 spaces - 6 400 sq.ft.                | - \$221.52 plus taxes |
| Peninsula Air Services Limited<br>10 spaces - 16 000 sq.ft.    | - \$554.00 plus taxes |
| Glanford Helicopter Service Limited<br>3 spaces - 4 800 sq.ft. | - \$166.40 plus taxes |
18. That the following **land rent for Imperial Oil Ltd.** approved by City Council November 13, 1984, **be rescinded:**

	1st Yr.	2nd Yr.	3rd Yr.	4th Yr.	5th Yr.
Land 16 900 sq.ft.	\$1757.60	\$1774.50	\$1808.30	\$1842.10	\$1859.00 plus taxes



and that the following land rent for Imperial Oil Ltd. be approved, effective December 1, 1984:

	<u>1st Yr.</u>	<u>2nd Yr.</u>	<u>3rd Yr.</u>	<u>4th Yr.</u>	<u>5th Yr.</u>	
Land 16 900 sq.ft.	\$1862.38	\$1879.28	\$1913.08	\$1946.88	\$1963.78	plus taxes

19. That:

- i. Mr. and Mrs. Frederick Elliott, **tenants at 9322 Airport Road West**, a dwelling on Airport property, be given 120 days notice of vacant possession by June 30, 1985 so that the City may receive possession of the property by October 31, 1985; and
- ii. The City Solicitor be authorized and directed to prepare the necessary documents.

20. That the existing **"One Hour Time Limit, 7:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Mary Street**, commencing at Burlington Street and extending to a point 68 feet northerly therefrom be revised, such that the regulation is in effect 24 hours a day, seven days a week.

21. That:

- i. a **parking prohibition be implemented on the west side of West 2nd Street** between Richwill Road and a point 140 feet northerly therefrom, and;
- ii. a parking prohibition be implemented on the east side of West 2nd Street between Richwill Road and a point 139 feet northerly therefrom.

22. That a **"No Parking, 8:00 a.m. to 12:00 noon, 2nd Wednesday each month, April to November" regulation be implemented on the south side of Burlington Street East** between James Street North and Wellington Street North.

NOTE: It was understood that by-law officers would be issuing courtesy tickets for the first two months that the new parking regulation is in effect.

23. That a **"One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on Russell Street** between Upper Sherman Avenue and East 27th Street in combination with the existing **"Alternate Side Parking"** regulation.

24. That under Section 33(a), Sub-section 1(b) of By-law No. 66-100, the definition of **"Official Sign" be revised** by deleting the words **"Permit Parking Only"** and substituting therefore the words **"Except by Permit"**.

25. That:

- i. the existing **"No Parking, 8:00 a.m. to 6:00 p.m." regulation which is in effect seven days a week, on the south side of Bold Street** in front of No. 267 Bold Street, **be rescinded**, and;
- ii. a **"No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Bold Street** in front of No. 267 Bold Street.



26. That the legislation permitting the erection of "One Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday to Friday" signs in combination with the existing Alternate Side Parking" **signs on West 2nd Street** between Brantdale Street and Queensdale Avenue, **be rescinded.**
27. That an **"Alternate Side Parking" regulation be implemented on Adis Avenue** between Guildwood Drive and Upper Horning Road, such that parking would be prohibited:
  - i. on the south side of the street during the months of December, January, February and March and from the 1st to 15th day of April, May, June, July, August, September, October and November; and
  - ii. on the north side of the street from the 16th to last day of April, May, June, July, August, September, October and November.
28. That, in accordance with the recommendations of the Hamilton-Wentworth Regional Police Department:
  - i. **a school traffic officer be assigned to the intersection of Upper Wellington Street and Jay Street;** and
  - ii. school crossing signs be erected and crosswalks be painted across the northerly leg of the intersection; and
  - iii. the Finance Committee be requested to recommend a method of financing \$2 000 to cover the cost of placing a school traffic officer at this location for the remainder of 1985.
29. That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, **a school traffic officer not be assigned to the intersection of James Street North and Burlington Street** at this time.
30. That:
  - i. **the Gilkson Neighbourhood be designated a Neighbourhood Watch area;** and
  - ii. Neighbourhood Watch signs for the Gilkson Neighbourhood be erected and maintained by the City Traffic Department, as long as the neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
  - iii. the necessary funds be charged to Account No. 0345-6060 (Neighbourhood Watch Program).
31. That a **"No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the west side of Lottridge Street** commencing at a point 77 feet north of Barton Street East and extending to a point 30 feet northerly therefrom.
32. That northbound and southbound traffic on **Goldwyn Street/Court be required to stop for traffic** on Golfwood Drive.



33. That the Director of Traffic Services be authorized to issue one time limit exemption permit to each of the first **five applicants residing in the apartment building at No. 241 Gibson Avenue.**
34. That, in accordance with the request by the A.M. Cunningham Home and School Association;
- i. a **"No Stopping, 8:00 a.m. to 5:00 p.m., Monday, to Saturday"** regulation be implemented on the south side of Central Avenue, on the west side of Wexford Avenue, and on the north side of Monterey Avenue along the frontage and flankages of A.M. Cunningham Public School; and
  - ii. a "No Stopping" corner clearance be implemented on the east side of Graham Avenue, commencing at Monterey Avenue and extending to a point 59 feet northerly therefrom; and
  - iii. a "No Stopping" corner clearance be implemented on the east side of Wexford Avenue, commencing at Monterey Avenue and extending to a point 69 feet northerly therefrom; and
  - iv. a "No Stopping" corner clearance be implemented on the east side of Wexford Avenue, commencing at Central Avenue and extending to a point 55 feet southerly therefrom; and
  - v. a "No Stopping" corner clearance be implemented on the west side of Graham Avenue, commencing at Central Avenue and extending to a point 67 feet northerly therefrom; and
  - vi. a "No Stopping" corner clearance be implemented on the east side of Graham Avenue, commencing at Central Avenue and extending to a point 34 feet northerly therefrom.
35. That a **three-way stop control** be implemented at the intersection of Clifton Downs Road and Bonaventure Drive.
36. That the existing **"No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday"** regulation in front of Nos. 232 and 234 Catharine Street North be retained.
37. That:
- i. a **"No Parking"** regulation be implemented on the east side of Eastbourne Avenue between Main Street and Delaware Avenue; and
  - ii. a "No Parking, 8:30 a.m. to 5:00 p.m., Monday to Friday, Except By Permit" regulation be implemented on the west side of Eastbourne Avenue between Main Street and Delaware Avenue and that two permits per household be issued, up to eight permits; and
  - iii. a "No Stopping" regulation be implemented on the east side of Eastbourne Avenue from Main Street to a point 159 feet southerly and that signs, advising of the change in parking regulations, be posted at the ends of the street.



38. That the Committee authorize the Director of Traffic Services to study, with the assistance of other Municipal officials, various alternatives for the provision of new or enlarged facilities for the **traffic workshop operation**.
39. That the application of Mr. J. S. Nadel, on behalf of the owner(s) of **578 West 5th Street**, Greg and Mirella White, to retain an encroachment on the road allowance of Tyrone Drive respecting an **inground concrete pool, 1.9m by 4.8m, and the surrounding area, 3.4m by 11.4m, delineated by a wooden fence**, be approved during the pleasure of City Council, provided:
- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) That an annual fee of \$207 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
40. That the application of Mr. E. W. Adler, on behalf of the owner of **39 Robert Street**, Duarte Da Costa, to retain an inadvertent encroachment on the road allowance respecting a **brick porch 0.03m by 4.75m**, be approved during the pleasure of City Council, provided:
- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
41. That the application of Mr. G. G. Landeg, on behalf of the owner(s) of **225 Mary Street**, Norman Stewart and Marilyn Frances Reynolds, to retain inadvertent encroachments on the road allowance respecting front **porch and steps 1.57 metres by 3.05 metres**, be approved during the pleasure of City Council, provided:
- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
42. That the application of Mr. J. C. Brown, on behalf of the owner of **148 Wellington Street North**, Joseph Canals, to retain an inadvertent encroachment on the road allowance on Evans Street respecting a **1 1/2 storey brick house 0.02 metres by 6.09 metres**, be approved during the pleasure of City Council, provided:
- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.



43. That the application of Mr. D. J. Ramsbottom, on behalf of the owner of **110 Pearl Street North**, Helen Cappadocia, to retain the following inadvertent encroachments on the road allowance respecting:

- i. **Florence Street - a two storey brick building, 0.15m by 10.06m**
- ii. **Pearl Street - a two storey brick building, 0.13m by 4.57 m**

be approved during the pleasure of City Council, provided:

- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

44. That the application of Mr. A. F. DeRubeis on behalf of the owner(s) of **16 Craigmiller Avenue**, Robert and Patricia Poole, to retain inadvertent encroachments on the road allowance respecting **porch and steps, 1.52 metres by 1.85 metres**, be approved during the pleasure of City Council, provided:

- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

45. That:

- i. the **flashing light signal in the north-east quadrant of Kelly Street and Ferguson Avenue** be relocated as required by the Canadian Transport Commission,
- ii. the Commissioner of Engineering be authorized and directed to issue the necessary purchase order to C.N. Rail to cover the City's cost of the relocation,
- iii. the cost of the relocation estimated at \$30 000 be financed from the 1984 Reconstruction Program - Kelly Street Reconstruction, Account No. 0408-F4166.

46. Further to the installation of new transit shelters and the electrical servicing of the shelters, in order to minimize the disruption to existing sidewalk, pavement and grassed areas, it is recommended that:

- i. permission be given to the Hamilton Street Railway (**H.S.R.**) to connect into **the City's street light circuit** for the electrical servicing of the transit shelters; and
- ii. the power usage be calculated annually and the H.S.R. reimburse the City for the power used; and



iii. Hamilton Hydro be advised of the proposal.

47. That the request of the Portuguese Catholic Congregation of St. Mary's Church to temporarily **close Park Street from Mulberry Street to Colbourne Street** be approved on the following times and dates:

- i. from 7:00 p.m. Friday, August 9, 1985 to 11:00 p.m. Sunday, August 11, 1985, and
- ii. from 7:00 p.m. Saturday, August 24, 1985 to 11:00 p.m. Sunday, August 25, 1985;

subject to the following conditions:

- (a) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City;
  - (b) That clean-up will be carried out immediately before the reopening of the road at no cost to the City;
  - (c) That the organizing group provide proof of \$1 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That the organizing group reimburse the Regional Police Department and the Department of Public Works for any extra costs incurred by these agencies;
  - (e) No homeowner within the barricaded area will be denied access to their residence upon request;
  - (f) That the organizing group ensure that suitable detour arrangements will be available during the duration of the closure;
  - (g) That the organizing group deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Engineering. The cheque will be returned to the applicant after the race if the above conditions are satisfactorily met.
48. That the following **local roads be temporarily closed**, from 2:00 p.m. to 6:00 p.m., on Sunday, July 21, 1985, in order that Top Down Sports Promotions, may hold its National Criterium Championship Cycle Race, in the Hess Village area of downtown Hamilton:
- i. **George Street, from Ray Street to Hess Street, and**
  - ii. **Hess Street, from Main Street to King Street, and**
  - iii. **Ray Street, from King Street to George Street**

with the approval being subject to the following conditions:

- (a) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City;



- (b) That the applicant ensure that clean-up operations will be carried out immediately before the reopening of Local roads, at no cost to the City;
  - (c) That the applicant provide proof of \$1 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That the applicant reimburse the Regional Police Department, Department of Public Works and the Hamilton Street Railway for any extra costs incurred by these agencies;
  - (e) That the applicant deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Engineering. The cheque will be returned to the applicant after the race if the above conditions are satisfactorily met.
49. That the application of Top Down Sports Promotions, for permission to hold the **National Cycling Championship Races**, on various local roads on Saturday, July 20, 1985, from 10:30 a.m. to 4:30 p.m. be approved, subject to the following conditions:
- (a) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City;
  - (b) That the applicant ensure that clean-up operations will be carried out immediately after the reopening of local roads, at no cost to the City;
  - (c) That the applicant provide proof of \$1 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That the applicant reimburse the Regional Police Department, the Department of Public Works and the Hamilton Street Railway for any extra costs incurred by these agencies;
  - (e) That the applicant deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Engineering. The cheque will be returned to the applicant after the race if the above conditions are satisfactorily met.
50. That the application of the **Homewood Avenue Neighbourhood Association**, to temporarily close **Homewood Avenue**, from Kent Street to Locke Street, to hold a "Street Party" on Sunday, June 23, 1985, from 8:00 a.m. to Midnight, or on a rain date of Sunday, July 7, 1985, be approved, subject to the following conditions:
- (a) That all signing and barricading will be subject to the direction of the Regional Police Department;
  - (b) That clean-up will be carried out immediately following the event at no cost to the City;



- (c) That the applicant provide proof of \$1 000 000 public liability insurance, prior to the event, naming the City as an additional insured party with a provision for cross liability, and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss.
51. That the City Solicitor be directed to proceed with the **preparation of a by-law to extend Skylark Drive** by incorporating therein Block 29 according to Cardinal Heights Addition No. 4 (Phase 3), Registered Plan 62M 306 and Block 48 according to Cardinal Heights Addition No. 5, (Phase 3) Registered Plan 62M 364.
52. That the City Solicitor be directed to proceed with the **preparation of a by-law to extend Flamingo Drive** by incorporating therein Block 18 according to Cardinal Heights Addition No. 4 (Phase 1), Registered Plan 62M 294.
53. That the City Solicitor be directed to proceed with the **preparation of a by-law to extend Hummingbird Lane** by incorporating therein Reserve "E" according to Cardinal Heights Registered Plan No. 1193.
54. That the City Solicitor be directed to proceed with the **preparation of a by-law to widen Rexford Drive** by incorporating therein a portion of Block "AX", according to Randall Estates, Phase 1, Registered Plan M-200 being a strip of land 1.0 foot wide by 50.0 feet long.
55. That the City Solicitor be directed to proceed with the necessary steps to **prepare a by-law to establish Part 1 on 62R-7469 as part of Hummingbird Lane.**
56. That the City Solicitor be directed to proceed with the necessary steps to **prepare a by-law to establish Part 1 on Plan 62R-7613 as part of Huckleberry Drive.**
57. That:
- i. the request of Mr. H. Turkstra to have the City **restore the alley in the block bounded by James, Duke, MacNab and Bold Streets**, after the installation of underground utilities to service private properties, be denied;
  - ii. the utility companies be requested to reconsider their cost sharing arrangements with the property owners involved so that a mutually satisfactory agreement can be made.
58. WHEREAS Clause 6(b) of the Twenty-Second Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1984 October 30, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Pem Holdings Limited;**

IT IS RECOMMENDED THAT:

- i. The engineering schedules for the estimated cost of services in "Ottawa Place - Phase 1", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- ii. The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and



- iii. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
59. WHEREAS Clause 10(b) of the Fourteenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1984 July 31, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Dundurn Construction Limited;**

IT IS RECOMMENDED THAT:

- i. The engineering schedules for the estimated cost of services in "Strawberry Hill", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- ii. The City's share for the cost of services for this development (\$69 813.49) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Sidewalks and Curbs	\$ 8 338.50
Fencing	9 763.88
Final Roads	10 489.50
Watermains	6 733.63
Sanitary and Storm Sewers	26 918.00
Street Lighting	1 500.00
Seeding & Trees	<u>6 069.98</u>
TOTAL	\$69 813.49

- iii. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing; and
- v. The Director of Real Estate be authorized to negotiate the acquisition of the land required for a future street on the east side of Lake Avenue, north of Queenston Road (extension to the proposed local road named Strawberry Drive); and
- vi. The street be opened by By-law after the land is acquired; and
- vii. A one foot reserve be placed on each side along the length of the land acquired.



60. WHEREAS Clause 8(b) of the Thirty-sixth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1979 November 13, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, 605542 Ontario Limited;**

IT IS RECOMMENDED THAT:

- i. The submitted schedules for the estimated cost of services in "Paradise Acres - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- ii. The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iii. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

61. WHEREAS Clause 9(b) of the Thirteenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1984 June 26, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Benemar Construction Inc.;**

IT IS RECOMMENDED THAT:

- i. The submitted schedules for the estimated cost of services in "Aspen Estates - Phase 3", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- ii. The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iii. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

62. WHEREAS Clause 3(b) of the Second Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1984 February 14, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Stanlow Holdings Limited;**

IT IS RECOMMENDED THAT:

- i. The engineering schedules for the estimated cost of services in "Gilkson Woods Addition - Phase 4", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- ii. The City's share for the cost of services for this development (\$4 317) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORKAMOUNT TO BE FINANCED

Curbs and Sidewalks	\$1 159
Final Roads	2 706
Dead-End Barricades	<u>452</u>
TOTAL	\$4 317

- iii. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

63. WHEREAS Clause 4(b) of the Fourteenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1980 April 08, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, 585633 Ontario Inc.;**

## IT IS RECOMMENDED THAT:

- i. The engineering schedules for the estimated cost of services in "Mohawk Gardens - Phase 3, Stage 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- ii. The City's share for the cost of services for this development (\$92 700) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORKAMOUNT TO BE FINANCED

Fences	\$ 2 440
Final Roads	<u>90 260</u>
TOTAL	\$92 700

- iii. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

64. WHEREAS Clause 22(b) of the Twenty-fifth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1978 August 29, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Mr. Dennis J. Petis;**

## IT IS RECOMMENDED THAT:



- i. Item 29 of the Transport and Environment Committee Report 11-83, as adopted by City Council on June 28, 1983, be rescinded;
- ii. The revised engineering schedules for the estimated cost of services in "Quincy Court", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- iii. The City's share for the cost of services for this development (\$16 921.59) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Curbs and Sidewalks	\$ 3 757.29
Final Roads (including catch-basins)	12 451.50
Street Lighting	<u>712.80</u>
TOTAL	\$16 921.59

- iv. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
  - v. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
65. WHEREAS City Council, at its meeting of June 19, 1984, approved the City's share of costs in the amount of \$48 586; and

WHEREAS the actual City's share of **sewer and watermain costs** was decreased by approximately \$13 306 due to the contractor's low prices and certain changes during construction; and

WHEREAS the projected City's share of roadworks costs will be increased by approximately \$16 520 due to the complete reconstruction of the curbs along the frontage of city lands; and

WHEREAS provision for curb reconstruction was not included in the engineering schedules approved the City Council on June 19, 1984,

IT IS RECOMMENDED THAT:

- i. The following accounts be revised by the amounts indicated:

<u>Account No.</u>	<u>Amount Approved As of June 19, 1984</u>	<u>Change</u>	<u>Totals</u>
0408-34357 (Sewers and Watermains)	\$30 006	\$13 306 (Decrease)	\$16 700
0408-34316 (Roadworks)	\$18 580	\$13 306 (Increase)	\$31 886

- ii. Authorization be given for an additional expenditure of \$3 114; and
  - iii. The additional expenditure be charged to Account No. 0280-12.
66. That Fernwood Crescent, Greenwood Street and Castlefield Drive be considered for inclusion on the **1986 Reconstruction Program** for roadway reconstruction and sidewalk reconstruction and repair.
67. That:
- i. the following project be included in the **1985 Reconstruction Program**:  
Reconstruction and repair of independent concrete sidewalks, both sides, on Upper Gage Avenue from Fennell Avenue to Mohawk Road at an estimated cost of \$57 000.
  - ii. the Commissioner of Engineering be authorized and directed to undertake this work on behalf of the City of Hamilton, once all the necessary approvals have been received.
  - iii. the cost of this work be financed from the 1985 Reconstruction Program, Depew Street, Beach Road to Burlington Street, sidewalk and roadway reconstruction, Account #0408-F5133.
68. WHEREAS City Council, at its meeting of 1984 July 31, approved the **City's share of final road reconstruction** in the amount of \$209 418 and
- WHEREAS the condition of the existing road base on most of the streets scheduled for resurfacing only is inadequate and
- WHEREAS based on the low tender, the additional cost to the City is \$49 500,
- IT IS RECOMMENDED THAT:
- i. the streets be reconstructed in accordance with present design standards; and
  - ii. authorization be given for the additional expenditure of \$49 500 to complete the work; and
  - iii. the expenditure be charged to Account No. 0280-12.
69. That the Mayor and City Clerk be authorized to sign the necessary agreement to **discharge and release the Severance Agreement**, dated 1977 December 20, and registered as Instrument No. 76 191 C.D. for 1139 Stone Church Road East, Hamilton.
70. That:
- i. the City approve the **1985 Capital Street Lighting Programme, as appended hereto; and**
  - ii. Hamilton Hydro be instructed to proceed with the system modifications.



71. That the application of the **Locke Street Businessmen's Association** for permission to **hold a sidewalk sale** on Thursday, June 27, 1985 and Friday, June 28, 1985 from 9:00 a.m. to 9:00 p.m. and Saturday, June 29, 1985, from 9:00 a.m. to 6:00 p.m., at the following location:

i. Locke Street from Main Street to Herkimer Street, each side,

be approved subject to the following conditions:

- (a) That the organizing group to hold the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss; and
- (b) That the organizing group provide proof of public liability insurance in the amount of \$1 000 000, naming the City as an additional third party insured, with a provision for cross liability; and
- (c) That clean-up of the sidewalk will be carried out immediately following the event, each day, at the expense of the organizing group; and
- (d) That the operation of the sale does not interfere with hydrants, pedestrian traffic along the sidewalk nor at bus stop areas. A minimum of 2m of unobstructed sidewalk, where possible, remain open for pedestrian traffic.

72. WHEREAS it is desirable and expedient that certain works be undertaken, it is hereby recommended:

- i. that the report of the Commissioner of Engineering and the City Treasurer, appended hereto, recommending the construction of a **concrete alley in the block bounded by Rosslyn Avenue, Campbell Avenue, Balmoral Avenue and Cannon Street**, as local improvements on petition pursuant to Section 11 of **The Local Improvement Act** be adopted; and
- ii. that the City Solicitor be directed to make application for approval under section 64 of the Ontario Municipal Board Act; and
- iii. the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton; and
- iv. the Finance Committee determine the method of financing.

73. That the applications of the following organizations to **place banners on Main Street West, in front of City Hall** be approved:

- i. Top Down Sports Promotions  
from July 1, 1985 to July 13, 1985
- ii. Hamilton Place  
from June 24, 1985 to June 30, 1985, and  
from August 29, 1985 to September 2, 1985

subject to the following conditions:

- (a) That the applicants pay a \$100 installation fee; and

- (b) That the applicants indemnify and save the City of Hamilton and the Region harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss; and
- (c) That the applicants produce proof of public liability and property damage insurance of at least \$1 000 000 naming the City of Hamilton and the Region as added insured parties and have it filed with the Commissioner of Transportation; and
- (d) That the design and construction of the banner conform to the standards established by the Commissioner of Transportation and the Department of Public Works.

74. That:

- i. **the brick pillars at the north-east and north-west corners of Main Street East and Barnesdale Boulevard, be restored** as required, without the globes, at an estimated cost of \$4 000;
- ii. the Finance Committee be requested to recommend the method of financing.

75. That:

- i. the Director of Public Works be authorized and directed to arrange for the **supply and installation of a chain-link fence** along the south limit of the St. Clair Avenue road allowance at the T.H. & B. Railway; and
- ii. the cost of this work, estimated at \$750, be financed from Account No. 0352-0361 (Railway Crossings - Maintenance); and
- iii. 50% or \$375 be recovered from a contribution from the T.H. & B. Railway; and
- iv. the City of Hamilton be responsible for the future maintenance of the fence.

76. That leave be granted to introduce the following bills:

- |          |  |
|----------|--|
| (a) A-24 | By-law to Reconstruct portions of King William Street and Centennial Parkway |
| (b) A-25 | By-law to Amend by-law 66-100 to regulate traffic.                           |
| (c) A-26 | By-law to Amend by-law 66-100 to regulate traffic.                           |

**RESPECTFULLY SUBMITTED,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

R. C. Prowse, Secretary

1985 June 17  
Attachs.



SUPREME COURT OF ONTARIO

Referred to in Section 1  
of the Tenth Report of the  
Transport and Environment  
Committee.

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

Plaintiff

- and -

THE TORONTO, HAMILTON AND BUFFALO RAILWAY  
COMPANY and CANADIAN PACIFIC LIMITED

Defendants

MINUTES OF SETTLEMENT

WHEREAS The Corporation of the City of Hamilton,  
hereinafter referred to as the "City", brought this action  
against The Toronto, Hamilton and Buffalo Railway Company,  
hereinafter referred to as "TH & B", and Canadian Pacific  
Limited, hereinafter referred to as "CP", for the relief set  
out in the Amended Statement of Claim herein;

AND WHEREAS the City enacted By-law 755 for  
granting a bonus of \$225,000.00 in aid of TH & B on the  
29th day of October 1894, hereinafter referred to as "By-law  
755";

AND WHEREAS by agreement dated the 12th day of  
December 1895, the TH & B contractually agreed with the City

that it would in all respect perform, observe and comply with all the agreements, obligations, terms and conditions of By-law 755;

AND WHEREAS the Province of Ontario enacted an act entitled "An Act to Confirm By-law No. 755 of the City of Hamilton", Statutes of Ontario 1895, Chapter 68, which act received Royal Assent on the 16th day of April 1895, which statute declared By-law 755 to be legal, valid and binding;

AND WHEREAS the Dominion of Canada passed an act entitled "An Act Respecting The Toronto, Hamilton and Buffalo Railway Company", Statutes of Canada 1895, Chapter 66, which act received Royal Assent on the 22nd day of July 1895 and which statute thereby conferred, ratified and declared By-law 755 to be valid and binding;

AND WHEREAS the Province of Ontario passed an act entitled "An Act Respecting The Toronto, Hamilton and Buffalo Railway Company", Statutes of Ontario 1896, Chapter 110, which act received Royal Assent on the 7th day of April 1896 and which statute authorized the City to deliver to TH & B the \$225,000.00 worth of debentures referred to in By-law 755;

AND WHEREAS the Dominion of Canada passed an act entitled "An Act Respecting The Toronto, Hamilton and Buffalo



Railway Company", Statutes of Canada 1896, Chapter 39, which act received Royal Assent on the 23rd day of April 1896 and which statute provided for the delivery of the debentures referred to in By-law 755;

AND WHEREAS CP, in the course of seeking to purchase the controlling block of shares of TH & B, and TH & B, in seeking to have its shares sold to CP, did jointly and severally undertake in writing dated the 9th day of September 1976 that CP and TH & B would accept and agree without reservation to all the terms and conditions of By-law 755 as they apply to the property, rail lines and stations of TH & B and all matters and things relating thereto for the purpose of giving effect to By-law 755;

AND WHEREAS in consideration of the above undertaking and assurances, the City passed By-law 76-255 to authorize consent to the transfer of control of TH & B to CP;

AND WHEREAS pursuant to the Order of the Railway Transport Commission No. Order R-32037, on March 25, 1981, the TH & B discontinued passenger train service as described in By-law 755 on or about April 23, 1981;

AND WHEREAS TH & B is a wholly owned subsidiary of CP and CP wishes to operate TH & B as a leased line completely integrated within the eastern region of CP rail;

AND WHEREAS CP has and does assure the City that, after the integration of TH & B into CP and the operation of TH & B as a leased line, the freight rail facilities heretofore operated by TH & B will be more effectively and efficiently maintained and operated and that the level of freight rail service after the integration will be at least as good as the freight rail service now operated by TH & B;

AND WHEREAS the City, TH & B and CP wish to resolve their differences and to embody the terms of their settlement in this agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants contained herein, the City, TH & B and CP agree as follows:

1. TH & B, upon the execution of these Minutes of Settlement, the passage of the by-law referred to in paragraph 4 herein and the passage of the amending legislation referred to in paragraphs 10 and 11 herein, shall deliver to the solicitors for the City, Wright & McTaggart, a cheque made payable to "Wright & McTaggart, In Trust", in the amount of \$1,834,549.46, which money shall not constitute an admission of liability but which money shall constitute full satisfaction of the City's claim in this action including its claim for interest and costs.



2. The City hereby releases and forever discharges TH & B and CP, and each of them, from any and all actions, causes of action, claims or demands, howsoever arising from the agreement of the 12th day of December 1895 and the Undertaking of the 9th day of September 1976 and in particular, from any and all claims set out in this action, i.e. the action commenced by action number 13634 for 1981 in the Supreme Court of Ontario

3. TH & B and CP hereby release and forever discharge the City from any and all actions, causes of action, claims or demands, howsoever arising from the agreement of the 12th day of December 1895 and the Undertaking of the 9th day of September 1976.

4. The City agrees and undertakes to pass a by-law rescinding By-law 755 and waiving any and all breaches of By-law 755 by TH & B and any and all breaches of the Undertaking of the 9th day of September 1976 by either TH & B or CP.

5. The City further agrees that it will consent to the leasing of the property, rail lines and other assets of TH & B to CP to be operated as an integral part of CP rail and that it will formally notify the Canadian Transport Commission that the City consents to the leasing of the real property, rail lines and stations of TH & B to CP to be operated as an integral part of CP rail.

6. TH & B and CP agree that they will integrate the freight rail service and facilities presently being operated by TH & B into the CP rail system and that the freight rail facilities will be maintained at least as effectively and efficiently after the integration and that the level of freight rail service after the integration will be at least as good as the freight rail service now operated by TH & B; and further, CP agrees that it will continue to operate the freight rail service to and within the City of Hamilton and serve the industries and businesses established therein as effectively and efficiently and with as modern equipment, facilities and freight rail service as it services the industries or businesses of any other city or region of Canada.

7. The obligation set out in paragraph 6 hereof shall not preclude CP from applying to the Canadian Transport Commission or its successor for permission to abandon the operation of the freight rail service pursuant to the Railway Act, R.S.C. 1970, Chapter R-2, Sections 252 and 254.

8. (1) In the event of deregulation and neither the Canadian Transport Commission nor its successor has the responsibility to determine whether or not CP can abandon the freight rail service and CP wishes to abandon the level<sup>e</sup> of service and the City and CP do not agree on the abandonment of the service; or, if any other issue arises concerning the obligation of CP



to operate the facilities and provide the freight rail service as required in these Minutes of Settlement and particularly paragraph 6 hereof, any such disagreement or issue shall be settled by arbitration as hereinafter provided and the arbitration shall be final and binding as between the City, CP and TH & B.

(2) If CP seeks to abandon the freight rail service, the criteria or test which the Arbitration Tribunal shall apply in determining whether CP shall be allowed to abandon the service shall be the test or criteria established in the Railway Act, R.S.C. 1970, Chapter R-2, Section 254.

9. Any arbitration to be carried out under this agreement shall be carried out according to the following provisions:

- (1) The party desiring arbitration shall notify the other party of the question or issue it wishes to have arbitrated and in the same notice the party shall nominate one arbitrator;
- (2) The party receiving the notice shall have thirty (30) days after receiving the notice to nominate an arbitrator;
- (3) The two arbitrators shall select a third arbitrator to be the chairman of the arbitration tribunal. In

the event the two arbitrators cannot agree on a chairman, the chairman shall be designated by the Chief Justice of the Supreme Court of Ontario, Trial Division, upon application by either party;

- (4) The chairman and the two arbitrators shall constitute the arbitration tribunal and the three members of the arbitration tribunal shall be referred to as arbitrators. The decision of any two of the arbitrators shall be final and binding and determine all issues including any question with respect to the hearing, the procedure to be followed and the evidence and representations either party may make;
- (5) The arbitration shall take place in the City of Hamilton and the arbitrators shall fix the time and place in the City of Hamilton for the purposes of hearing such evidence and representations as either of the parties may present;
- (6) The arbitrators, after hearing any evidence and representation that the parties submit, shall make their decision and set it out in writing and deliver one copy to each of the parties. The decision of any two of the arbitrators shall determine the



issue or issues, question or questions, submitted for arbitration and shall be final and binding;

(7) If the party receiving the notice of the nomination of an arbitrator by the party desiring arbitration fails within the said thirty (30) days to nominate an arbitrator, then the arbitrator nominated by the party desiring arbitration may proceed alone to determine the dispute in such manner and at such time as he shall think fit and his decision shall be binding upon the parties. Any arbitration may be carried out by a single arbitrator if the parties so agree, in which event the provisions of this paragraph shall apply, mutatis mutandis;

(8) The cost of the arbitration shall be determined by the arbitration tribunal;

(9) The decision of the arbitrators shall be final and binding and each party shall do all acts and things and execute all documents necessary to give effect to any award made upon such arbitration.

10. The City and CP agree that they will make application to and use their best efforts to cause the Province of Ontario to pass an act rescinding:

(a) The act entitled "An Act to Confirm By-law No. 755 of the City of Hamilton", Statutes of Ontario 1895, Chapter 68; and

(b) The act entitled "An Act Respecting The Toronto, Hamilton and Buffalo Railway Company", Statutes of Ontario 1896, Chapter 110;

provided that such repealing legislation will specify the continuing obligation of CP and TH & B to provide rail service as required in paragraph 6 of this agreement and the provision for binding arbitration in accordance with paragraphs 8 and 9 of this agreement.

11. The City and CP agree that they will make application to and use their best efforts to cause the Parliament of Canada to pass an act rescinding:

(a) The act entitled "An Act Respecting The Toronto, Hamilton and Buffalo Railway Company", Statutes of Canada 1895, Chapter 68; and

(b) The act entitled "An Act Respecting The Toronto, Hamilton and Buffalo Railway Company", Statutes of Canada 1896, Chapter 39;



provided that such repealing legislation will specify the continuing obligation of CP and TH & B to provide freight rail service as required in paragraph 6 of this agreement and the provision for binding arbitration in accordance with paragraphs 8 and 9 of this agreement.

12. An Order shall be taken out on consent dismissing this action without costs, and, when the order is issued and entered, the money paid pursuant to paragraph 1 herein shall be released to the City.

IN WITNESS WHEREOF the parties hereto, by their duly authorized signing officers, have executed this agreement the                      day of                      , 1985.

THE CORPORATION OF THE CITY OF  
HAMILTON

Per:

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THE TORONTO, HAMILTON AND BUFFALO  
RAILWAY COMPANY

Per:

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CANADIAN PACIFIC LIMITED

Per:

---

CITY OF HAMILTON

and

TH & B RAILWAY

and

CANADIAN PACIFIC

Court file no. 13634/81

(Short title of proceeding)

..... SUPREME..... COURT OF ONTARIO  
(Supreme or District)

Proceeding commenced at Toronto

MINUTES OF SETTLEMENT

DYE & DURHAM CO. LIMITED—Form No. 909

WRIGHT & MCTAGGART  
Barristers and Solicitors  
2600 - 390 Bay Street  
Toronto, Ontario  
M5H 2Y2

Solicitors for the Plaintiff



1985 STREET LIGHTING BUDGET

June 6, 1985

<u>RECOMM.</u>	<u>ITEM</u>	<u>DESCRIPTION</u>	<u>COST</u>
Yes	1	Allowance for street lighting in new residential surveys not paid for by developer (i.e. City committed to old subdivision agreements)	\$ 20,000.00
No	2	<u>Bay Street North, South of York</u>  - New lighting in front of Arena Trade Centre * area is lit to acceptable levels at present	(\$ 4,700.00)
Yes	3	<u>Limeridge Road - Upper Ottawa to Upper Gage</u>  - Conversion to underground - Completion for project in 1984 Budget	(\$ 5,000.00)
Yes	4	Replacement of old street light primary cable on James Street North and Ottawa Street North - safety hazard	\$ 12,000.00
Yes	5	<u>James and Guise</u>  - New underground street lighting in front of new apartment complex - H.H.E.S. removing aerial plant - Restoration costs minimal since sidewalks are being reconstructed	\$ 8,500.00
Yes	6	<u>Burlington Street Bridge</u>  - Replacement of deteriorating old poles with steel poles - Solution to vibration problem with luminaires - Extension of 1984 pilot program	\$ 55,900.00
Yes	7	<u>Upper Kenilworth - South of Limeridge</u>  - New roadway opened by City underground streetlighting	\$ 12,500.00
No	8	<u>Catharine Street North - King to Rebecca</u>  - Replacement of old plant during roadway reconstruction - Relocation not necessary therefore not chargeable * construction project has been postponed till 1986	(\$12,300.00)
Yes	9	<u>Upper Gage and Fennell</u>  - Roadway reconstruction - Upgrade to sodium	\$ 59,000.00

<u>RECOMM.</u>	<u>ITEM</u>	<u>DESCRIPTION</u>	<u>COST</u>
Yes	10	<u>George Street - Hess to Bay</u> - Roadway reconstruction - Upgrade to sodium	\$ 500.00
No	11	<u>Service Road - Opposite Wave Action Pool</u> - New underground street lighting * roadway under the jurisdiction of the Ministry of Transportation and Communications	(\$25,000.00)
Yes	12	<u>Lansdowne Avenue</u> - Installation of street lighting per City request - No existing lighting	\$ 12,700.00
Yes	13	<u>Area Bounded by Parkdale, Adeline, Goggin and Mahoney</u> - Upgrade to sodium - Replacement of all plant - H.H.E.S. reconstructing aerial plant	\$ 1,900.00
	14	The following projects involve upgrading of lighting on arterial roads consistent with current standards. These roadways have been widened and/or seen significant increases in traffic levels since the installation of original lighting.	
Yes	a.	Garth and Rymal intersection	\$ 1,200.00
Yes	b.	Stone Church and Paradise intersection	\$ 400.00
Yes	c.	Upper James - W.S. - South of Limeridge	\$ 10,800.00
Yes	d.	Stone Church - James to Wellington	\$ 8,900.00
Yes	e.	Stone Church and Gage intersection	\$ 1,000.00
Yes	f.	Main St. W. - N.S. - C.N.I.B. to Cootes Drive	\$ 36,000.00
Yes	g.	King St. W. - S.S. - Paradise to Longwood	\$ 1,600.00
Yes	h.	Queen and Main intersection	\$ 3,300.00
Yes	i.	Dundurn - E.S. - Hunt to Main	\$ 12,700.00
No	*j.	Main St. - S.S. - Dundurn to Queen	(\$12,000.00)
No	*k.	Nash Road - Barton to North End	(\$ 6,400.00)
No	*l.	Nash Road - King to Barton	(\$14,800.00)
		* Upgrading not justified at this time	
		SUBTOTAL	<u>\$109,100.00</u>



<u>RECOMM.</u>	<u>ITEM</u>	<u>DESCRIPTION</u>	<u>COST</u>
Yes	15	<u>Spot Improvements</u>  Allowance for yet un-identified deficiencies in the system. These improvements are quite often initiated by public requests.	\$ 20,000.00
Yes	16	<u>Underground Conversion</u>  - Miscellaneous underground conversion. - To tidy up areas when the greatest percentage of plant is presently underground	\$ 30,000.00
Yes	17	<u>Ottawa Street North</u>  - New lights north of Beach Road	\$ 2,000.00
Yes	18	<u>Main Street - Paradise to Haddon</u>  Roadway reconstruction	\$ 8,000.00
Yes	19	<u>Upper Kenilworth - Carson to Landron</u>  - Roadway reconstruction - Replace wood poles with concrete	\$ 3,500.00
Yes	20	<u>Bow Valley Drive - Extension to Queenston Road</u>  - New road - Concrete poles	\$ 6,000.00
SUBTOTAL			\$408,600.00
Recommended Removals			\$ 75,200.00
TOTAL			<u>\$333,400.00</u>

# REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime Cost of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
3.66m wide concrete alley (Section 11, L.I.A.)	in the block bounded by Rosslyn Avenue, Campbell Avenue, Balmoral Avenue and Cannon Street	801-57H	20	\$48 000	\$20 383.43	\$27 616.57	\$27 616.57	38.64m	\$1 816.08	\$47

Finance Committee to determine the method of financing.  
Estimated Subsidy: NIL

- Estimated cost per metre increased by approx. 125% if debentured over 15 years.

DATED at Hamilton this                      day of

A.D., 19

E. Matthews  
Treasurer

J. R. G. Leach  
Commissioner of Engineering

Referred to in Section 72 of the Tenth Report of the Transport and Environment Committee.









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **NINTH** Report for 1985 and respectfully recommends:

1. Approval of the application of the Concession Street Business Association to conduct a "Summer Festival" to include a Bavarian Garden & Dance, in Mountain Brow Park on Saturday, July 13th, 1985, between the hours of 7:00 p.m. and 11:00 p.m., subject to the following terms and conditions:-
  - (a) A minimum of \$2 million dollars insurance to be provided, naming the City as co-insured;
  - (b) Police Security, satisfactory to the Hamilton-Wentworth Regional Police be provided;
  - (c) A licence for the purpose of selling alcoholic beverages be obtained from the Liquor Licence Board of Ontario;
  - (d) Arrangements satisfactory to the Health Department be made for the sale of food and refreshments;
  - (e) All City costs directly incurred as a result of this special event be the responsibility of the applicant;
  - (f) The location of the Bavarian Garden within the Park be subject to the approval of the Parks Division of the Department of Public Works.
2. (a) Approval of the request of the Regional Commissioner of Transportation to place transit shelters at the following locations:-
  - (i) Wellington Park - King Street East
  - (ii) Mountain Park - Concession Street
  - (iii) Victoria Park - King Street West
- (b) That a form of agreement satisfactory to the City Solicitor and the Director of Public Works be entered into between the City and the Region.

**NOTE:** At present, there are existing bus shelters at Mountain Park and Wellington Park. The Region has requested permission to remove the existing shelter and pads and replace same with new transit shelters and concrete pads. The proposed installation in Victoria Park is a new installation.

3. That the application by the Hamilton Folk Arts Heritage Council to host "It's Your Festival" in Gage Park from June 29th to July 1st, 1985, inclusive between the hours of 12:00 noon and 11:00 p.m. be approved, subject to the following terms and conditions:-
  - (a) That \$2,000,000 Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured be provided;
  - (b) That the location of various booths and activities within the Park be subject to the approval of the Parks Division of the Department of Public Works in order to reduce damage;
  - (c) That the organizer assume "actual labour charges" associated with the event as reported by the Parks Division of the Department of Public Works subsequent to the Parks Division meeting with the organizer.
  - (d) That discussions take place with the Hamilton-Wentworth Regional Police regarding police supervision and traffic control, all associated costs to be the responsibility of the organizer.
  - (e) That there be no serving of alcoholic beverages in the Park or Bandshell;
  - (f) That the Bandshell rental fee of \$30.00 per day be applicable;
  - (g) That the organizers arrange for public announcements throughout the event advising the general public to keep dogs on a leash and to clean up after them.
4. Approval of the actions of the Parks and Recreation Committee in waiving admission fees at the City's Historical Sites for all Senior Citizens on June 15, 1985 as a goodwill relations gesture in recognition of Seniors Month.
5.
  - (a) That the Regional Laboratories be authorized to carry out soil borings and testing of samples as required to determine the extent of heavy metals or other contaminants on the "Lax Property" peninsula, based upon the Ministry of Environment's report dated May 16, 1985.
  - (b) That the cost of this work, estimated at \$28,000 be charged to Account No. 0408-U42713, Soil Tests, as part of the appropriation of \$1,000,000 approved by Council in September, 1984, for the acquisition of the Lax Property. There are sufficient unencumbered funds in this Account.
  - (c) That City staff be authorized to prepare a report to this Committee indicating the best methods of containing or removing contaminants; and that the Regional Laboratories, Ministry of Environment and Waterfront Consultants (Coombes/Kirkland/Berridge) have input into this report.



6. That permission be granted to provide a one-third reduction in Membership Fees for the 1985-86 season to those who purchased memberships last season for Westmount Recreation Centre for the purpose of participating in swim lessons and could not be accommodated due to the closing of the pool for renovations for a four (4) month period; and further that the summer aquatic fee be waived for these members.
7. (a) That the amount of \$2,150 remaining of the \$115,000 allocated by Council for renovation of the Normanhurst Community Centre, after expenditure of the building contract of \$112,850 be authorized to be expended on additional hardware for fire exit requirements.
- (b) That the transfer of \$1,850 be authorized, within the overall budget for the Normanhurst Community Centre, from Account No. 0405-N99010 to 0405-N91015, to cover costs of:
  - (i) building permit
  - (ii) additional minor items required to complete the work.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

J. J. Schatz  
Secretary  
May 30, 1985



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee present its TENTH Report for 1985 and respectfully recommends:

1. (a) That the Culture and Recreation Master Plan Final Report dated May 27, 1985, as prepared by du Toit Associates Limited, be approved in principle.
- (b) That the appropriate civic staff undertake to review and report to the Parks and Recreation Committee with respect to each of the recommendations contained therein.
- (c) That in view of the number of recommendations involved, staff endeavour to report at each meeting of the Committee with respect to one or more of these recommendations, giving due consideration to the suggested time table for implementation of the various recommendations, as set out by the consultants. Staff to continue to report to the Committee in this manner until such time as all recommendations of the consultants are dealt with.

NOTE: Copies of the Master Plan Final Report were previously forwarded to the Members of City Council. Additional copies, if required, can be obtained from the Secretary of the Parks and Recreation Committee.

2. That the application by the Hamilton Amateur Radio Club to host a World Amateur Radio Emergency Test Field Day in the open area east of Bernie Arbour Stadium from 10:00 a.m. on Saturday, June 22, 1985 through to 2:00 p.m. on Sunday, June 23, 1985 be approved, subject to the following terms and conditions:
  - (a) That \$2,000,000 Comprehensive General Liability Insurance for Property Damage and Bodily Injury naming the Corporation as a named insured be provided.
  - (b) That the applicant assume all responsibility for actual labour charges incurred as reported by the Parks Division of the Department of Public Works.
  - (c) That the Parks Division approve the location, set-up and dismantling of tents and operating equipment.
  - (d) That there be no open fire in the Park.
  - (e) That permission be granted to park 15 vehicles in the Bernie Arbour Stadium Parking Lot over night.



3. That the park in Gurnett Neighbourhood at Green Cedar Drive and Megna Court, scheduled for development in 1985 be named Shawinigan Park in honour of the City of Hamilton's twin city, Shawinigan, Quebec.
4. That the Director of Culture and Recreation be authorized to waive admission fees and membership charges to cultural and recreational facilities as deemed appropriate and further that a report of same be provided to the Parks and Recreation Committee bi-annually.
5. That approval be granted to the Festival Committee of Panagia Greek-Canadian Church to conduct a "Grecian Fest" in Inch Park on August 15, 16, 17 and 18, 1985 subject to the following terms and conditions:
  - (a) The applicant obtain the appropriate licences for the sale of alcoholic beverages from the Liquor Licence Board of Ontario;
  - (b) The applicant obtain the approval of the Health Department for arrangements for the sale of food and refreshments;
  - (c) The applicant provide a minimum of \$2,000,000 Public Liability and Property Damage Insurance naming the City as co-insured;
  - (d) Police security, satisfactory to the Hamilton-Wentworth Regional Police be provided at the applicant's expense;
  - (e) The applicant take precautions to ensure that the grounds are not damaged and that financial restitution be made to the City for any damage that may occur;
  - (f) All outdoor activities in the Park cease by 11:00 o'clock p.m.;
  - (g) The applicant be responsible for all costs over and above the norm incurred by the City as a result of this event.

NOTE: For the information of the Members of City Council, the following events are included on the programme for the Grecian Fest:

- Two Dances involving the sale of food and alcoholic beverages in the Inch Park Arena;
  - Sports Tournaments, Junior Olympics Competition and Torch Race from City Hall
  - The Carlsberg Caravan and Horses
  - Outdoor Cafe and Band
  - Beer Garden on Church Property
6. That approval be given to the leasing of the City-owned land at the rear of 31 Selway Court, 162, 166, 170, 174, 178 and 182 Bow Valley Drive, for the sum of \$1.00 each per annum, plus taxes, to the owners listed below for landscaping purposes only; said lease to commence the first day of the month following City Council approval.

That the Mayor and City Clerk be authorized to execute the subject leases.

<u>ADDRESS</u>	<u>OWNER</u>	<u>SIZE OF LAND TO BE LEASED</u>
(a) 31 Selway Court	Conrad & Lorraine Pierroz	50'x26'/27'
(b) 162 Bow Valley Dr.	Anthony & Irene Georgiades	27'x40'
(c) 166 Bow Valley Dr.	Francisco & Maria Felicio	36'x40'
(d) 170 Bow Valley Dr.	Gilberto & Zoraida Cabral	40'x40'
(e) 174 Bow Valley Dr.	Filipe & Maria Arruda	40'x40'
(f) 178 Bow Valley Dr.	Vincenzo & Maria Ditrapani	40'x40'
(g) 182 Bow Valley Dr.	Bruno & Antonietta Tassone	40'x40'
7. (a) Approval of the leasing of the City-owned property at 141 Belview Avenue to Madeline Piper, commencing June 1, 1985 at a one time rental of \$100 and commencing July 1, 1985 at a monthly rental of \$275 including realty taxes.		
(b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.		
8. (a) That the City of Hamilton enter into a lease arrangement with E. K. Tour Boat Service Limited for the use of a portion of the City's five acre Pier 4 Park adjacent to the Leander Boat Club, subject to,		
(i)	This is a temporary location and subject to change at the discretion of City Council.	
(ii)	Detailed site plans indicating buffering between the parking lot located on the adjoining Harbour Commission lands and Pier 4 Park, be submitted for consideration by the Waterfront Parks Advisory Sub-Committee and the Parks and Recreation Committee.	
(iii)	The Lessee being responsible at its own cost for the installation of all hydro and telephone utilities.	
(iv)	That all servicing of the boat, such as maintenance, repair, garbage and sewage disposal be performed elsewhere.	
(v)	That the Lessee be responsible for any liability and damage as a result of its service.	
(vi)	The approval of the Hamilton Harbour Commission for the Lessee's use of their water lot for the floating dock and the use of the parking lot.	
(vii)	The approval of the Hamilton Region Conservation Authority for the method of installation of the gangway leading from the Lessee's floating dock and its connection to the City's Pier 4 Park.	

- (viii) Any additional matters deemed necessary between the authorities involved.
- (b) That the lease term be for a period commencing July 1, 1985 to November 30, 1985 at a flat rate of \$100 plus any realty and business taxes generated by this operation.
- (c) That the Mayor and City Clerk be authorized to execute a lease agreement in a form satisfactory to the City Solicitor.
9. (a) Approval of the leasing of parcel of City-owned land on Elgin Street containing approximately 11,808 square feet to Ron Lee Holdings Limited operating as Honda Downtown, for one year commencing July 1, 1985 at a yearly rental of \$6,300.00 including taxes, payable in equal monthly installments of \$525.00. The Lessee to have the option to renew for a further year at a rental agreeable to both parties providing the lands are not required for parks purposes.
- (b) That the Mayor and City Clerk be authorized to execute the lease agreement in a form satisfactory to the City Solicitor.
- (c) That the proceeds from the leasing of these lands be credited to Account No. 0280-11.
10. Approval of the acquisition of the property at 229 Weir Street North measuring approximately 43 feet by a depth of approximately 118 feet from 382850 Ontario Limited for the sum of \$58,851.60 plus interest pursuant to the Expropriations Act.
- This property is required for the development of the Homeside Priority One Park and sufficient funds are available in Account No. 0408-C16096 to provide for this acquisition.
11. (a) Approval of the leasing of the property at 122 Province Street North to Cindy Noble commencing May 28, 1985 at a one time rental of \$140 and commencing July 1, 1985 at a monthly rental of \$280 including realty taxes.
- (b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.
12. (a) That the Waterfront Park Improvement Project in the amount of \$50,000 as provided in the 1985 portion of the 1985-1989 Capital Budget Programme as Item No. A35628 be approved.
- (b) That the Finance Committee recommend the method of financing this cost.

NOTE: This project provides for general clean-up of the Waterfront Study Area as well as administration and promotion.



13. That a model of the Waterfront Study Area be constructed at a cost not to exceed \$20,000 and be charged to Account No. 0408-G4626-4.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

J. J. Schatz  
Secretary  
June 13, 1985









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTEENTH** Report for 1985 and respectfully recommends:

1. That approval be given to **City Initiative 85-E** to amend Section 16A, "JJ" (Restricted Light Industrial) District regulations and Section 17A, "KK" (Restricted Heavy Industrial) District regulations of Zoning By-law No. 6593 on the following basis:
  - (a) That Section 16A (1) of By-law No. 6593 be amended on the following basis:-
    - (i) that a new clause (eca) be added to Section 16A (1) of By-law No. 6593 following clause (ec) which reads as follows: "(eca) a wholesale establishment",
  - (b) That Section 17A (1) of By-law No. 6593 be amended on the following basis:-
    - (i) that a new clause (bb) be added to Section 17A (1) of By-law No. 6593 following clause (b) which reads as follows: "(bb) a wholesale establishment;"
  - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and the Zoning District Maps.
  - (d) That the proposed text amendment is in conformity with the Official Plan for the Hamilton Planning Area.
- Explanatory Note** - The by-law provides for a text amendment to Sections 16A and 17A of By-law No. 6593 by adding a wholesale establishment to the list of permitted uses within the respective zoning district.
2. That approval be given to **Zoning Application 85-27, Leslie Carol Frederick and Greg William Stevens, owners**, requesting a modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to the property at No. 19 Bold Street, as shown on the attached plan marked as APPENDIX "A", on the following basis:
  - (a) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of By-law No. 6593, applicable to the subject lands be modified as follows:

(i) That notwithstanding the provisions of Section 11A (1), the following uses shall be permitted within the basement of the existing building:

(A) All commercial uses permitted under Section 11A (1) (iii), including a restaurant and take-out food service subject to the requirements of subclauses (a), (c), (e), (f), and (g) of Section 11A (1) (iii).

(b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-719C and Zoning District Map W-5 be notated S-719C.

(c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-5;

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note** - The by-law provides for a modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to property located at No. 19 Bold Street, as shown on the attached map marked as APPENDIX "B".

The effect of the by-law is to permit in addition to the uses allowed in the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, a restaurant including a take-out food service in the basement of the existing building.

3. (A) That approval be given to **Zoning Application 85-28 by Deem Management, prospective owner**, requesting a modification to the established "I" (Central Business District, etc.) District for property located at No. 52 Catharine Street North, as shown on the attached plan marked as APPENDIX "B", on the following basis:

(a) That the "I" (Central Business District, etc.) District regulations as contained in Section 15 of By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

(i) That notwithstanding Section 15 (1) (ia) of Zoning By-law No. 6593, a residential care facility for the accommodation of not more than 130 residents of at least 60 years of age, shall be permitted in the existing building.

(ii) That Section 15 (6) of Zoning By-law No. 6593, shall not apply.

(iii) That the following amenity areas shall be provided on the site:

(A) a roof-top outdoor amenity area of not less than 372 m<sup>2</sup>;



- (B) a minimum 3.0 m wide landscaped area along the northerly side of the building;
- (b) That the "Parking and Loading Requirements" as contained in Section 18A of By-law No. 6593 applicable to the subject lands, be modified to include the following variance:
  - (i) That notwithstanding Section 4.1 (1) of TABLE 1 a minimum of 25 parking spaces shall be provided;
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-473a; and that the subject lands on Zoning District Map E-4 be notated S-473a;
- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, and Zoning District Map E-4
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area, and
- (B) That a Site Plan be submitted for consideration of the outdoor amenity areas only.

**Explanatory Note:** - The purpose of the by-law is to provide for a further modification to the established "I" (Central Business District, etc.) District regulations applicable to the lands located at No. 52 Catharine Street North, as shown on the attached plan marked as APPENDIX "B".

The effect of the by-law is to permit a residential care facility in the existing building for a maximum of 130 residents at least 60 years of age instead of a maximum of 20 residents. In addition, the by-law provides for the following variances:

- o a minimum of 25 parking spaces would be permitted whereas 44 is required;
  - o the facility could be located within 122 m of another short term care facility whereas a minimum distance of 180 m between residential care facilities is required;
  - o the following outdoor amenity areas will be provided:
    - (i) a roof-top outdoor amenity area of not less than 372 m<sup>2</sup>;
    - (ii) a minimum 3.0 m wide landscaped area along the northerly side of the building
4. That approval be given to **Zoning Application 85-29 Robert P. Urban Photography, owner**, for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, for property located at No. 162 Hunter Street

East as shown on the attached plan marked as APPENDIX "C" on the following basis:

- (a) That the subject lands be rezoned from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District;
- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, and Zoning District Map E-5;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** - The purpose of the by-law is to provide for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, to permit the establishment of a photographer's studio in the first storey of the existing building located at No. 162 Hunter Street East, as shown on the attached plan marked as APPENDIX "C".

The effect of the by-law is to allow the following commercial uses which are also permitted in the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District in all or part of the first storey of the existing dwelling: optician's offices, optometrists' establishments, an artist's studio, a barber shop or hairdressing establishment, a beauty parlour or massage parlour, a tailor's shop, a dressmaker's establishment, a millinery shop, or a wearing apparel workshop.

5. That approval be given to **Zoning Application 85- 30, 591118 Ontario Limited (Glider's Restaurant), lessee**, to establish a modification to the "H" (Community Shopping and Commercial, etc.) District regulations applicable to property located on the south side of Main Street West at Osler Drive, as shown on the attached plan marked as APPENDIX "D" on the following basis:

- (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:
  - (i) That notwithstanding Section 14. (1) an accessory patio shall be permitted in conjunction with a restaurant. The patio may be licenced under The Liquor Licence Act, 1975 as a Patio Licence.
  - (ii) That the "Parking and Loading Requirements" as contained in Section 18A of By-law No. 6593 applicable to the subject lands, be modified to include the following variance:
    - (A) That Section 18A (9) shall not apply to the accessory patio use.
  - (iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-395A, and that the subject lands on Zoning District Maps W-46 and W-50 be notated S-395A;

- (iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps W-46 and W-50; and,
- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (vi) That By-law No. 79-275 respecting Site Plan Control be amended by adding the subject lands to Schedule "A".
- (vii) That the by-law not be passed until the applicant has received Site Plan approval for a landscape plan showing plantings and a visual barrier.

**Explanatory Note:** - The purpose of the by-law is to provide for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations applicable to the lands located on the south side of Main Street West at Osler Drive, as shown on the attached plan marked as APPENDIX "D".

The effect of the by-law is to permit an outdoor patio as an accessory use to Glider's restaurant.

In addition, the by-law provides for a modification to Section 18A(9), the Parking and Loading Regulations to permit required parking to be provided off the site instead of on the site with the permitted use.

6. (A) That approval be given to **Zoning Application ZA-85-31 by Riveria Banquet Centre Inc., Lessee**, for a modification to the established "H" (Community Shopping and Commercial, etc.) District provisions applicable to property located at No. 422 Barton Street East, as shown on the attached map marked as APPENDIX "E" on the following basis:
  - (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of By-law No. 6593, applicable to the subject lands be modified to include the following variances:
    - (i) That notwithstanding Section 14 (1) an accessory patio shall be permitted in conjunction with a restaurant and banquet hall. The patio may be licenced under The Liquor Licence Act, 1975 as a Patio Licence.
    - (ii) That the Parking and Loading Requirements as contained in Section 18A of the By-law No. 6593 shall not apply to the restaurant and patio use permitted in clause (a) provided the said restaurant is located in the existing building.
- (B) That the amending by-law be added to Section 19B of the Zoning By-law No. 6593 as Schedule S-916, and that the subject lands on Zoning District Map E-12 be notated S-916;



- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-12; and
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (B) That Council not pass the subject zoning by-law until such time as the applicant has entered into an Outdoor Boulevard Cafe Agreement with the City of Hamilton, which in part, includes the following requirements:
- (a) the closing hour of operation for the proposed patio shall be established at 10:00 p.m.;
  - (b) the patio area shall be limited to a capacity of 50 persons;
  - (c) a landscaped area shall be provided for a distance of a minimum of 9.14 m (30 ft.) at the southerly end of the patio area;
  - (d) a 1.2 m to 2.0 m high visual barrier shall be provided within the vicinity of the landscaped area mentioned in clause c; and,
  - (e) a site plan, as part of the agreement for the outside patio area, shall be submitted and approved by the Planning and Development Committee prior to finalization of the Boulevard Cafe Agreement.

**Explanatory Note:** - The purpose of the by-law is to provide for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations applicable to the lands located at No. 422 Barton Street East as shown on the attached plan marked as APPENDIX "E".

The effect of the by-law is to permit an outdoor patio as an accessory use to an existing banquet centre and a proposed restaurant.

In addition, the by-law deletes the Parking and Loading requirements for the restaurant and patio area, on the basis that the proposed restaurant is located within the existing building.

7. (A) That approval be given to Official Plan Amendment No. 30 to establish a change in land use from "commercial" to "residential" for lands in the area east of Quigley Road and south of the T. H. & B. railway tracks as shown on the attached plan marked as APPENDIX "F", and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing.
- (B) That approval be given to **ZA-85-32 by DiCenzo Construction Company Ltd., owner**, for a change in zoning from "G-1" (Designed Shopping Centre) District to "RT-10" (Townhouses) District for lands in the area east of Quigley Road and south of the T. H. & B. railway tracks as

shown on the attached plan shown as APPENDIX "F" on the following basis:

- (a) That the subject lands be rezoned from "G-1" (Designed Shopping Centre) District to "RT-10" (Townhouse) District;
  - (b) That the "Prohibited Uses" provisions as contained in Section 4 of Zoning By-law No. 6593, applicable to the subject land, be modified to include the following variance as a special requirement;
    - (i) That Section 4 (3) (b) shall not apply.
  - (c) That the amending by-law be added to Section 19B of the Zoning By-law No. 6593 as Schedule S-917, and that the subject lands on Zoning District Map E-97 be notated S-917;
  - (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-97;
  - (e) That the Vincent Neighbourhood Plan be amended to change the designation of the subject lands from "Commercial" to "Attached Housing";
  - (f) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of the Official Plan Amendment No. 30.
- (C) That the by-law not be passed until the owner has entered into one or more agreements as may be necessary and to the satisfaction of the City Solicitor, which should be registered on title. Such agreements should include but not be limited to the following provisions as may be necessary:
- (i) the minimum area of the required right-of-way;
  - (ii) the right-of-way shall be established in perpetuity;
  - (iii) the responsibility for constructing the right-of-way;
  - (iv) cost sharing, if any, of construction costs of the right-of-way;
  - (v) the type of construction to be carried out;
  - (vi) the responsibility for the maintenance, operation, alteration and repair costs of the right-of-way;

**Explanatory Note:** - The purpose of the by-law is to provide for a change in zoning from "G-1" (Designed Shopping Centre) District to "RT-10" (Townhouse) District, for lands in the area east of Quigley Road and south of the T. H. & B. railway tracks as shown on the attached plan marked as

## APPENDIX "F".

The effect of the by-law is to permit the development of the land for townhouses. In addition, the by-law deletes the requirement for a minimum frontage of 4.5 m on a public highway.

8. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-
  - (i) 126 Sanford Avenue North
  - (ii) 16 Gerrard Street
  - (iii) 18 Gerrard Street
  - (iv) 352 Birch Avenue
  - (v) 237 Brant Street
  - (vi) 195 Cloverdale
  - (vii) 396 Birch Avenue
  - (viii) 408 Birch Avenue
9. That the City Solicitor be authorized and directed to undertake the preparation of a by-law to rescind By-law No. 85-37 dated 1985 February 26 which was passed by City Council for Compliance of an Order dated 1984 April 18 for the removal of a unused, damaged passenger vehicle from the property at No. 3 Garrow Drive as the vehicle has now been moved by the owner.
10. **Downtown Hamilton Action Plan, Second Priority Actions and Adoption of a "Redevelopment Plan".**
  - (a) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council a by-law, pursuant to sub-section (5), Section 22., The Planning Act, Province of Ontario, to provide for the adoption by City Council of the **Downtown Hamilton Action Plan: Phase II Redevelopment Plan**, as appended hereto as APPENDIX "G"
  - (b) That the Director of Community Development be hereby authorized and directed to submit said by-law to the Minister of Municipal Affairs and Housing for approval;
  - (c) That the Mayor and City Clerk be hereby authorized to subsequently execute the Implementation Agreement with The Minister of Municipal Affairs and Housing pursuant to the approval of the Ontario Municipal Board (O.M.B.).
11. **Grants for the Handicapped - Mrs. M. Hughes, 58 Head Street.**
  - (a) That a grant and repayable loan in the amount of \$505. be approved for Mrs. M. Hughes, 58 Head Street for the adaptation of the home for her handicap. (The Planning and Development Committee and City Council previously approved a Handicap grant in the amount of \$435. for Mrs. M. Hughes.)



12. **Sale of Part of Lot 11, Plan M-227 to Carlo Delsordo**

- (a) That an Offer to Purchase the lands of The Corporation of the City of Hamilton known as Part of Lot 11, Plan M-227 duly executed on 1985 May 10 by the Purchaser, Carlo Delsordo and scheduled for closing on 1985 August 16 be completed.
- (b) The property is composed of a parcel of land located on the western limit of Nebo Road having a frontage of 26 feet by a depth of 160.5 feet, more or less, and containing an area of .0925 acres, more or less, and more particularly described as the southerly 26 feet of Lot 11 on Plan M-227.
- (c) The purchase price is \$4,144. A deposit cheque in the amount of \$414. is being held by the City Treasurer pending Council approval.

13. That leave be granted to introduce the following Bills:-

- (a) Bill C-50                      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located on the South Side  
of Montmorency Drive.
- (b) Bill C-51                      By-law to Repeal Zoning By-law No. 85-102  
Respecting Land Located at Municipal No.  
1545 Upper James Street.
- (c) Bill C-52                      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located in the Area South  
of the Proposed Mountain Freeway and  
West of Upper Sherman Avenue.
- (d) Bill C-53                      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at Municipal Nos.  
14 to 38 Brucedale Avenue East.
- (e) Bill C-54                      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at Municipal No.  
1590 Upper Ottawa Street.
- (f) Bill C-55                      By-law to Establish Site Plan Control  
Respecting Land Located at Municipal No.  
1590 Upper Ottawa Street.
- (g) Bill C-56                      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located on the North Side  
of Rymal Road West Between Upper  
Paradise Road and Garth Street.
- (h) Bill C-57                      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located on the West Side  
of Upper Horning Road, in the Area  
Opposite Amalfi Street.

(i) Bill C-58

By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at the South-East  
Corner of Barton Street East and Varga  
Drive.

(j) Bill C-59

By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at the South-  
West Corner of Mohawk Road West and  
Upper Horning Road.

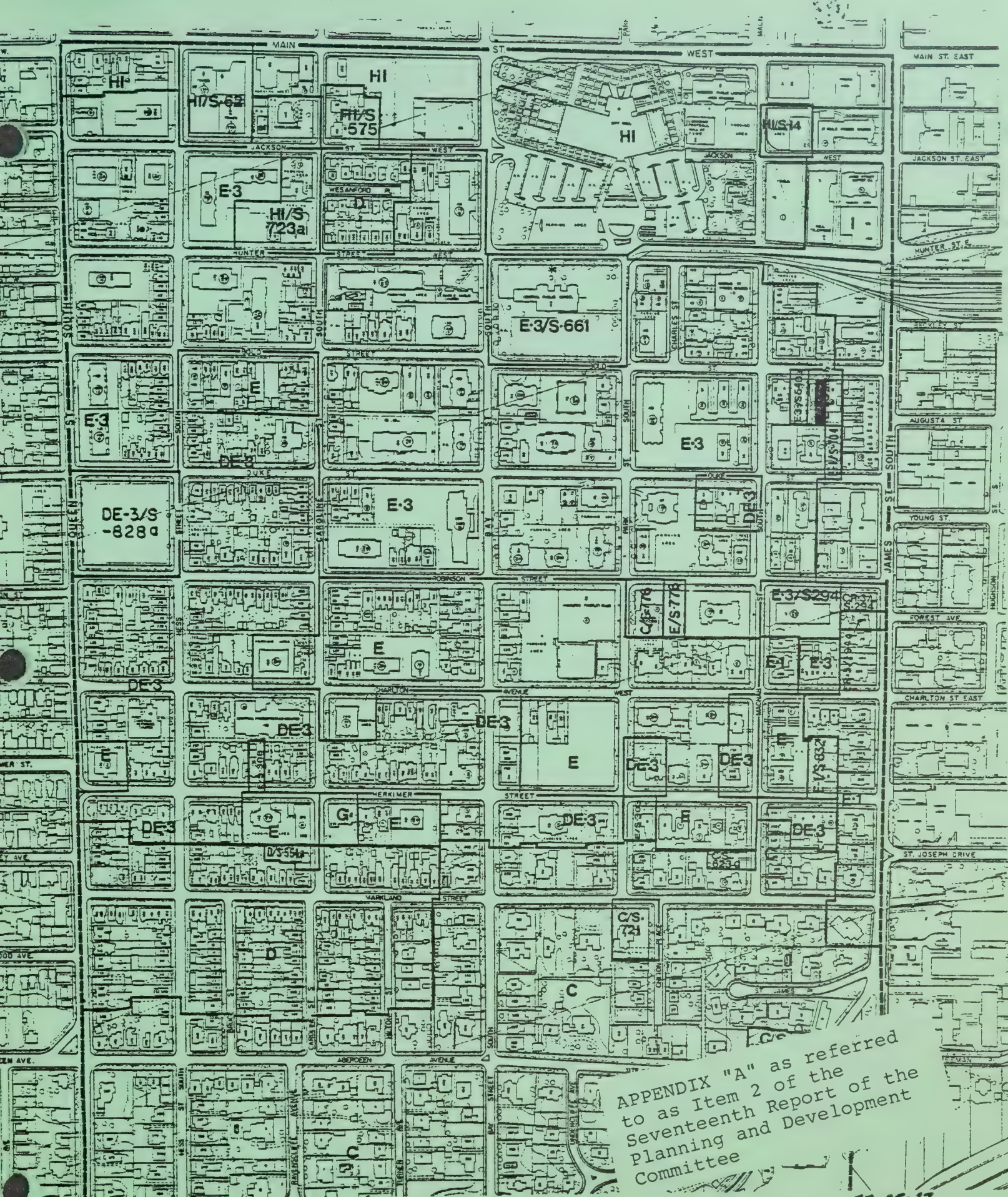
Respectfully submitted,

**Alderman W. M. McCulloch, Chairman  
Planning and Development Committee**

John D. Thompson, Secretary  
Planning and Development Committee  
JDT:mjw

1985 May 29





APPENDIX "A" as referred  
to as Item 2 of the  
Seventeenth Report of the  
Planning and Development  
Committee

2A-85-17

SITE OF THE APPLICATION





APPENDIX "B" as referred  
to as Item 3 of the  
Seventeenth Report of the  
Planning and Development  
Committee

ZA 85-28

SITE OF THE APPLICATION,







APPENDIX "C" as referred to  
in Item 4 of the Seventeenth  
Report of the Planning and  
Development Committee

# LEGEND.



SITE OF THE APPLICATION.

2485-29





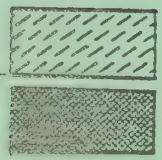


APPENDIX "D" as referred to  
in Item 5 of the Seventeenth  
Report of the Planning and  
Development Committee

ZA85-30

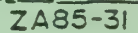


# LEGEND



SITE OF THE APPLICATION  
LOCATION OF GLIDERS RESTAURANT

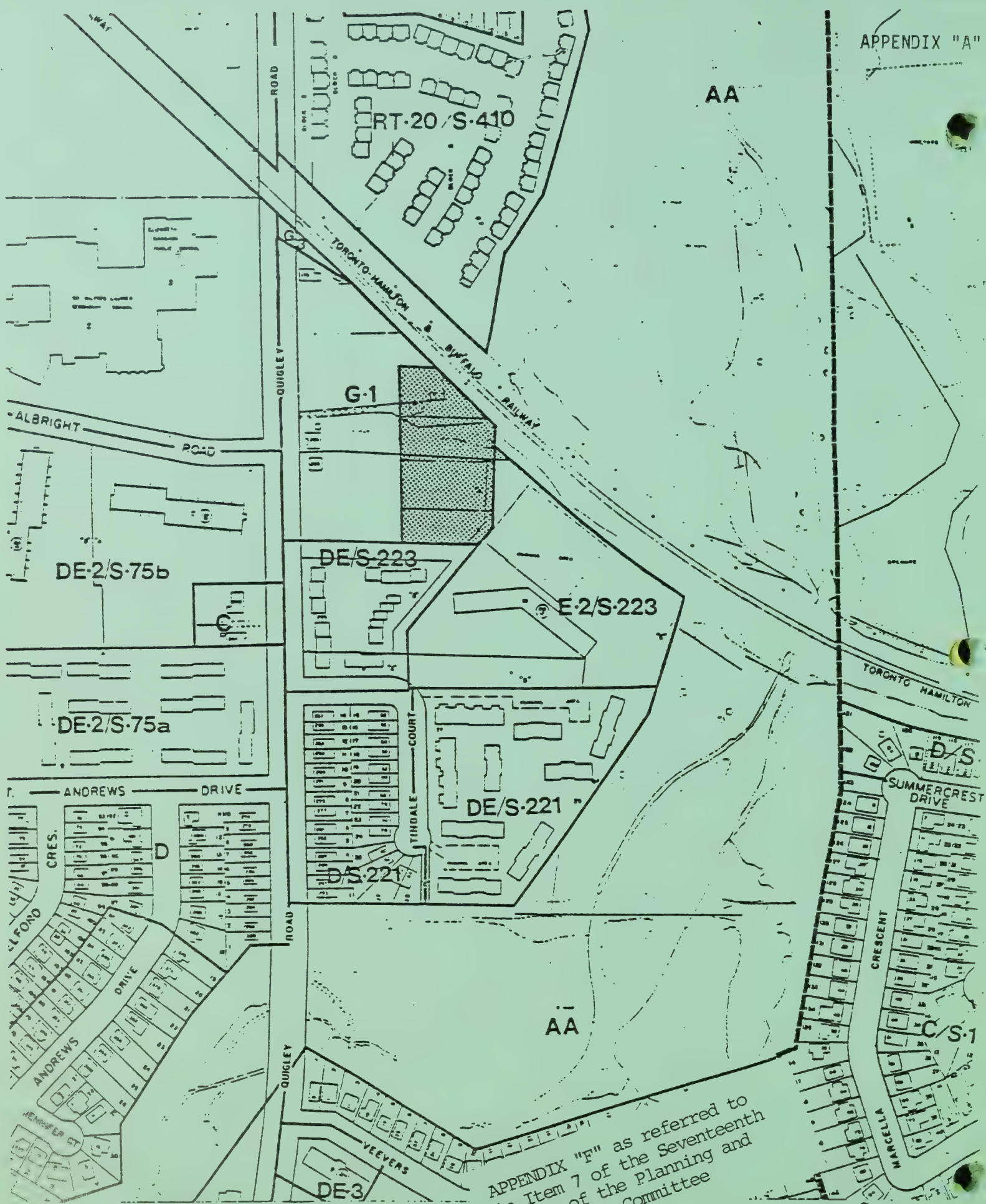




## LEGEND

## SITE OF THE APPLICATION

LOCATION OF PROPOSED PATIO



 SITE OF THE APPLICATION

APPENDIX "F" as referred to  
in Item 7 of the Seventeenth  
Report of the Planning and  
Development Committee



DOWNTOWN HAMILTON  
ACTION PLAN:

PHASE II  
REDEVELOPMENT PLAN

CORPORATION OF  
THE CITY OF HAMILTON  
1985 May

APPENDIX "G" as referred to in  
Item 10 of the Seventeenth  
Report of the Planning and  
Development Committee



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P.6	STREETSCAPE
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P.12	APPOINTMENT OF DESIGN CONSULTANTS
P.13	STUDY APPROACH

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Fig. 1	STUDY AREA: DOWNTOWN CONTEXT; MUNICIPAL CONTEXT
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'C'	DOWNTOWN HAMILTON ACTION PLAN - PHASE II: STREETSCAPE COST ESTIMATE 1985 MARCH 27 AND, 1985 APRIL 30 (REVISED).
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DOWNTOWN HAMILTON  
ACTION PLAN:

PHASE II  
REDEVELOPMENT PLAN

INTRODUCTION:

BACKGROUND AND STUDY OBJECTIVES

IN 1981, A CENTRAL AREA PLAN WAS APPROVED BY CITY COUNCIL WHICH OUTLINED A DEVELOPMENT PHILOSOPHY FOR THE DOWNTOWN AIMED AT MAKING THE AREA MORE ATTRACTIVE FOR PEDESTRIANS AND SHOPPERS BY ENCOURAGING PEDESTRIAN FACILITIES, A PLEASANT ENVIRONMENT AND, "HUMAN-SCALE" CONSIDERATIONS IN BUILDING AND DESIGN. IT WAS FELT THAT THESE FEATURES WOULD, IN TURN, ATTRACT DEVELOPMENT. THE PLAN STATES, IN THE PREAMBLE,

AN ATTRACTIVE, LIVELY, HUMAN SCALE ENVIRONMENT WITH THE PHYSICAL, SOCIAL AND HUMAN INFRASTRUCTURE IN PLACE WILL BOTH IMPROVE THE DOWNTOWN QUALITY OF LIFE, DRAW PEOPLE TO THE AREA AND THUS, ENCOURAGE THE PRIVATE SECTOR TO EXPAND THE RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SECTORS.

TO FOCUS ATTENTION ON THE DOWNTOWN CORE AND, IMPLEMENT THE GOALS OF THE CENTRAL AREA PLAN, A COMMITTEE OF BUSINESSPEOPLE, CITY AND, REGIONAL OFFICIALS FORMED THE CENTRAL AREA CO-ORDINATING AND IMPLEMENTATION LIAISON COMMITTEE (CACILC): THIS COMMITTEE MET MONTHLY TO DISCUSS WAYS AND MEANS TO IMPLEMENT DOWNTOWN IMPROVEMENTS; SET PRIORITIES; AND, DISCUSS ALTERNATIVES, ACTIONS AND PROBLEMS.

THE COMMITTEE SUBSEQUENTLY RECOMMENDED THE PREPARATION OF A DOWNTOWN MASTER PLAN - OR ACTION PLAN - TO SHOW THE DESIRED END RESULT FOR THE DOWNTOWN AREA AND, THE IMPROVEMENTS AND ALTERATIONS NECESSARY TO ACHIEVE THAT END. THE PLAN WAS TO BE ACTION-ORIENTED INASMUCH AS THE POLICY FRAMEWORK HAD ALREADY BEEN ESTABLISHED IN THE CENTRAL AREA PLAN. FURTHER, IT

(THE ACTION PLAN) WAS TO CONCENTRATE ON CHANGES TO THE EXISTING STREETScape, RATHER THAN REDEVELOPMENT OR COSTLY LARGE-SCALE IMPROVEMENTS.

THE GOALS OF THE STUDY WERE:

- (I) TO OUTLINE A DETAILED PLAN OF ACTION FOR REVITALIZING THE DOWNTOWN CORE THROUGH VARIOUS IMPROVEMENTS, ALTERATIONS AND INPUT, WITH AN EMPHASIS ON PHYSICAL IMPROVEMENTS, AS WELL AS TO MAKE RECOMMENDATIONS FOR POTENTIAL NEW MUNICIPAL REGULATIONS, PUBLIC WORKS AND, PRIVATE RENOVATIONS; AND,
- (II) TO SHOW THE END RESULT OF THOSE ACTIONS, AND THE BENEFITS ACCRUING TO THE BUSINESS-PEOPLE AND THE CITY.

THE OBJECTIVES WERE AS FOLLOWS:

- (I) THROUGH A MARKETING STUDY, DETERMINE THE BEST APPROACH TO DOWNTOWN REVITALIZATION AND ENHANCEMENT OF THE DOWNTOWN'S ROLE IN THE COMMERCIAL HIERARCHY OF THE CITY AND REGION;
- (II) TO PROVIDE AN INVENTORY OF DOWNTOWN NEEDS, OR ALTERNATIVE ACTIONS IN ORDER TO ACHIEVE THE DESIRED END RESULT;
- (III) TO EXAMINE THE COSTS AND BENEFITS OF EACH OF THOSE ALTERNATIVES;
- (IV) THROUGH A COST/BENEFIT ANALYSIS, RECOMMEND PRIORITIES FOR SHORT TERM AND LONGER TERM ACTION; AND,



- (v) DETAIL A DOWNTOWN ACTION PLAN OR BLUEPRINT FOR REVITALIZATION WHICH WOULD OUTLINE SPECIFIC ACTIONS TO BE TAKEN - WHEN, HOW AND, BY WHOM.

BASED UPON THESE GOALS AND OBJECTIVES, DU TOIT ASSOCIATES, LTD., A FIRM OF ARCHITECTS, URBAN PLANNERS AND LANDSCAPE ARCHITECTS, WAS HIRED TO CONDUCT THE STUDY AS OUTLINED. DU TOIT ASSOCIATES COMPLEMENTED IT'S STUDY TEAM WITH THE RESEARCH DIVISION OF DESIGN INTERNATIONAL, DESIGN AND DEVELOPMENT CONSULTANTS, ALONG WITH BARTON ASCHMAN (CANADA), LTD., TO PROVIDE EXPERTISE IN THE AREAS OF MARKET RESEARCH, AND TRAFFIC AND TRANSIT PLANNING, RESPECTIVELY.

#### THE STUDY AREA

FIGURE 1. ILLUSTRATES THE STUDY AREA WITHIN THE CONTEXT OF BOTH THE CITY OF HAMILTON AND, THE DOWNTOWN CORE. IN CLOCKWISE FASHION, THE BOUNDARY IS THUS: FROM KING STREET WEST, NORTH ALONG THE FORMER ALIGNMENT OF PARK STREET TO YORK BOULEVARD; EAST ON YORK BOULEVARD TO MACNAB STREET; NORTH ON MACNAB STREET TO VINE STREET; EAST ON VINE STREET TO, APPROXIMATELY, THE REAR PROPERTY LINES ON THE EAST SIDE OF JAMES STREET; SOUTH, ACROSS REBECCA TO, APPROXIMATELY, THE REAR PROPERTY LINES ON THE NORTH SIDE OF KING WILLIAM STREET; EAST ON KING WILLIAM STREET TO, APPROXIMATELY, THE REAR OF THE PROPERTY AT THE NORTH-EAST INTERSECTION OF MARY AND KING WILLIAM STREETS; SOUTH TO KING WILLIAM STREET; EAST AGAIN ON KING WILLIAM STREET TO WELLINGTON STREET; SOUTH ON WELLINGTON STREET TO MAIN STREET; WEST ON MAIN STREET TO MACNAB STREET; NORTH ON MACNAB STREET TO KING STREET; AND, WEST ON KING STREET TO THE POINT OF COMMENCEMENT.

## THE WORK PROGRAMME AND REPORT STRUCTURE

THE WORK PROGRAMME OF THE CONSULTANT STARTED WITH THE STATEMENT OF A GENERAL PROBLEM, FOLLOWED BY A DETAILED INVESTIGATION OF THE SPECIFIC PROBLEMS, RELATING THREE COMPONENT PARTS OF THE STUDY (I.E., MARKETING AND RETAIL; TRAFFIC AND TRANSIT; AND, STREETSCAPING). ISSUES RAISED IN THE CONTEXT OF THESE THREE COMPONENTS WERE THEN ESTABLISHED, FOLLOWED BY A SERIES OF SUGGESTED SOLUTIONS INTENDED TO RESOLVE THOSE ISSUES. WITHIN THE RANGE OF SUGGESTED SOLUTIONS, VARIOUS OPTIONS WERE EXPLORED WHICH THEN REQUIRED A COST/BENEFIT ANALYSIS BEFORE AN APPROPRIATE SELECTION COULD BE MADE.

THE COST/BENEFIT ANALYSIS, AS CONDUCTED BY DU TOIT ASSOCIATES, LTD., WAS, ESSENTIALLY, THE GRADING OF VARIOUS OPTIONS WITH RESPECT TO BENEFITS PERCEIVED TO BE GAINED BY EFFECTED PUBLIC USER GROUPS VIS-A-VIS THE PUBLIC COSTS INVOLVED. BASED UPON THIS ANALYSIS, INITIAL RECOMMENDATIONS WERE MADE BY THE CONSULTANT TEAM, FOLLOWED BY COMMENTS FROM VARIOUS INTEREST GROUPS; COMMENTS WERE RECORDED AND, AN ATTEMPT TO BALANCE THE CONCERNS EXPRESSED, WITHIN THE CONTEXT OF THE ORIGINAL RECOMMENDATIONS, FORMED THE BASIS FOR THE RECOMMENDED PLAN OF ACTION.

TWO PUBLIC MEETINGS WERE HELD BY THE CONSULTANT TO INFORM THE GENERAL PUBLIC AS TO THE PROGRESS OF THE STUDY: THE FIRST MEETING PRESENTED THE PROBLEMS, ISSUES AND OPTIONAL SOLUTIONS AND, THE SECOND PRESENTED THE OPTIONAL SOLUTIONS COMBINED WITH A COST/BENEFIT ANALYSIS AND INITIAL RECOMMENDATIONS. AT BOTH MEETINGS, THE CONSULTANT INVITED THE PUBLIC TO RESPOND BOTH AT THE MEETING AND, IN WRITING. COMMENTS WERE TAKEN UNDER ADVISEMENT BY THE CONSULTANT AND APPLIED TO THE SUBSEQUENT STAGES OF THE STUDY PROCESS.

IT IS TO BE NOTED THAT THE STUDY OBJECTIVES CALLED, IN THE FIRST STEP, TO DETERMINE THE BEST APPROACH TO DOWNTOWN REVITALIZATION AND, ENHANCEMENT OF THE DOWNTOWN'S ROLE IN THE COMMERCIAL HIERARCHY OF THE CITY AND REGION THROUGH A MARKETING STUDY. WHILE RECOGNIZING THE FUNDAMENTAL BACKBONE OF THE MARKETING ASPECT, IT WAS THE BELIEF OF DU TOIT ASSOCIATES LTD., THAT BOTH THE PROBLEMS AND SOLUTIONS ARE DEPENDENT UPON THE INTER-RELATIONSHIP BETWEEN TRAFFIC AND TRANSIT PLANNING; THE STREETScape DESIGN; AND A MARKETING STRATEGY. WITH THAT IN MIND, THE CONSULTANT APPROACHED THE STUDY WITH EQUAL EMPHASIS IN EACH OF THESE THREE AREAS, WITH A VIEW TO BALANCING ALL OF THE INTER-RELATED CONCERNS.

#### PROPOSED ACTION PLAN SOLUTIONS

##### INTRODUCTION:

IN THE AREAS OF MARKETING/RETAIL AND, VEHICULAR CIRCULATION, THE CONSULTANT MADE SPECIFIC RECOMMENDATIONS WHICH FORM PART OF THE DOWNTOWN HAMILTON ACTION PLAN, AS SUBSEQUENTLY RECEIVED BY CITY COUNCIL AT IT'S MEETING HELD 1983 JANUARY 11; WHICH ACTION PLAN SERVES AS THE PRIMARY BACKGROUND DOCUMENT TO GUIDE IMPLEMENTATION OF ALL PHASES OF THE PLAN. AS EACH OF THE FOUR PHASES COMES ON-STREAM, COUNCIL IS REQUESTED TO APPROVE, IN PRINCIPLE, THE PRIMARY RECOMMENDATIONS AS CONTAINED IN THE PLAN AND, SUBSEQUENTLY, DETAILED CONCEPTS AND DESIGNS ARE PREPARED FOR IMPLEMENTATION. TO DATE, THIS PROCEDURE HAS BEEN FOLLOWED FOR PHASES I AND II AND, IS IN PROCESS FOR PHASE III.



MOST PERTINENT TO THOSE CAPITAL WORKS WHICH COULD REASONABLY, AND LEGITIMATELY FALL WITHIN THE PURVIEW OF MUNICIPAL ACTION AND, COINCIDENTALLY, RELATIVE TO THE PROVISIONS OF THE PROVINCIAL, COMMERCIAL AREA IMPROVEMENT PROGRAMME (C.A.I.P.), THE CONSULTANT'S OBSERVATIONS AND RECOMMENDATIONS IN RESPECT OF STREETScape IMPROVEMENT - INCLUDING, AS THEY DO, COMMENTS IMPACTING UPON TRAFFIC/TRANSIT AND, MARKETING/RETAIL ISSUES BEAR HIGH-LIGHTING IN THE REDEVELOPMENT PLAN.

## STREETScape

THE FOLLOWING ARE A SERIES OF POTENTIAL ACTION PLAN SOLUTIONS:

### A) PEDESTRIAN LINKAGES

TO MAKE THE USE OF THE STUDY AREA MORE CONVENIENT FOR THE PEDESTRIAN, IT IS SUGGESTED THAT THE FOLLOWING LINKAGES BE IMPROVED:

- ACCESS AND EGRESS TO, AND FROM PARKING LOTS.
- STREETS WHICH CONNECT PARKING LOTS TO SHOPPING AREAS.
- ALLEYWAYS WHICH CONNECT PARKING AREAS TO SHOPPING AREAS OR REAR ENTRIES OF STORES.
- THROUGH BUILDING CONNECTIONS.
- ACROSS TRAFFIC INTERSECTIONS.
- BETWEEN MAJOR PEDESTRIAN FEATURES.

THESE LINKAGES MAY BE SUPPORTED, AND FACILITATED BY:

- WELL MARKED PEDESTRIAN ACCESS POINTS TO PARKING LOTS WHICH ARE LANDSCAPED AND, POSSIBLY, PROVIDING A SMALL SITTING AREA.

A) PEDESTRIAN LINKAGES (CONTINUED)

- UNIFORMLY STREETSCAPING CONNECTING STREETS. THIS SUGGESTS THE USE OF SPECIAL PAVING, PEDESTRIAN-SCALE LIGHTING AND, A PROGRAMME OF STREET TREE PLANTING AS WELL AS ANCILLARY "FURNITURE" ITEMS (E.G., BENCHES, LITTER CONTAINERS, DIRECTIONAL KIOSKS, BICYCLE RACKS, ETC.).
- CLEANING UP ALLEYWAYS TO THE EXTENT THAT PEDESTRIANS FEEL COMFORABLE AND SECURE USING THEM. THIS MAY BE ACCOMPLISHED BY PROVIDING SPECIAL PAVING WHICH DENOTES THAT THE PEDESTRIAN HAS A RIGHT TO BE TRAVELLING THROUGH AN ALLEY AS WELL AS SERVICE AND DELIVERY VEHICLES, ETC. IN ADDITION, LIGHTING, SIGNAGE AND, THE IMPROVEMENT OF REAR FAÇADES OF BUSINESSES WOULD SUPPORT THIS.
- ACCESS THROUGH BUILDINGS FROM BACK TO FRONT WHERE FEASIBLE. THIS WOULD REQUIRE THAT REAR ENTRIES TO STORES AND BUSINESSES BE PROVIDED THAT ARE WELL MARKED TO THE PEDESTRIAN.
- PEDESTRIAN CROSSINGS AT INTERSECTIONS SHOULD BE AS SHORT AS POSSIBLE, FACILITATED BY WIDENED SIDEWALKS AT INTERSECTIONS AND A SPECIAL PAVING TREATMENT DENOTING THE AREA WHERE THE PEDESTRIAN MAY CROSS THE ROAD.

B) PEDESTRIANIZATION

TO THE EXTENT THAT IT IS FEASIBLE CONSIDERING TRAFFIC AND TRANSIT REQUIREMENTS, ALL ACTIONS POSSIBLE WILL BE UNDERTAKEN TO MAKE THE PEDESTRIAN FEEL MORE COMFORTABLE AND IN PRIORITY IN THE HEART OF THE SHOPPING AREA. THIS SHALL BE ACCOMPLISHED THROUGH, THOUGH NOT NECESSARILY LIMITED TO THE FOLLOWING TECHNIQUES:

B) PEDESTRIANIZATION (CONTINUED)

- WIDENED SIDEWALKS WHERE POSSIBLE.
- ACCOMODATION OF PEDESTRIANS IN ZONES WHEREIN VEHICULAR AND PEDESTRIAN TRAFFIC ARE SHARED. THIS MAY BE ACCOMPLISHED BY SPECIAL PAVING TREATMENT, THE USE OF BOLLARDS AND, SIGNAGE.
- WHERE THE TRANSIT MALL EXISTS, THE PAVED SURFACES ON THE MALL SHOULD BE OF A TYPE SIMILAR TO THE SIDEWALK AREAS, CREATING AN IMPRESSION THAT THE SPACE IS ALSO A PEDESTRIAN ZONE.
- DECORATIVE PAVING IN VEHICULAR AREAS PROVIDES THE IMPRESSION OF PEDESTRIAN PRIORITY WITHOUT CONSTRAINING THE VEHICULAR FUNCTION.

C) STREETSCAPING TREATMENT

A CO-ORDINATED SYSTEM FOR STREETSCAPE TREATMENT SHALL BE IMPLEMENTED, INCORPORATING THE USE OF SPECIAL PAVING, TREE PLANTING, SEATING, LITTER CONTAINERS, BICYCLE RACKS, PEDESTRIAN-SCALE LIGHTING, BOLLARDS, ETC. THERE WILL BE THE LIKELY REQUIREMENT OF DISTINCTION BETWEEN TREATMENTS IN DIFFERENT AREAS.

SIX (6) DIFFERENT, GENERALIZED TREATMENT TYPES WERE DEVELOPED WHICH CORRESPOND TO VARYING SITE CONDITIONS OUTSIDE THE GORE PARK AREA. THEY ARE AS FOLLOWS:

.../9



c) STREETSCAPING TREATMENT (CONTINUED)

I SPECIAL TREATMENT INCLUDES:

- SELECTIVELY WIDENED SIDEWALKS WITH PROVISION FOR LOADING, BUS STOPS AND, SAFETY TURNING LANES.
- NEW, DECORATIVE SIDEWALK PAVING.
- TREE PLANTING.
- PEDESTRIAN SCALE LIGHTING WITH BANNERS ON POLES.
- BENCHES AND LITTER CONTAINERS.
- INFORMATIONAL KIOSKS.
- SUFFICIENT AREA FOR SIDEWALK CAFÉS AND SALES.
- BOLLARDS TO DEFINE PEDESTRIAN AREAS.
- SPECIAL USE AREAS WHERE PEDESTRIAN SPACE PERMITS (I.E., TOURIST, SHOPPER DISPLAYS).

THIS TYPE OF TREATMENT IS FOR STREETS WITH CONTINUOUS RETAIL FRONTAGE, WHERE SIDEWALKS MAY BE WIDENED, AND WAS IMPLEMENTED ON BOTH SIDES OF KING STREET EAST, BETWEEN JAMES AND MARY STREETS, AS PHASE I OF THE DOWNTOWN HAMILTON ACTION PLAN.

II TYPICAL TREATMENT INCLUDES:

- NEW, DECORATIVE SIDEWALK PAVING.
- TREE PLANTING.
- PEDESTRIAN SCALE LIGHTING WITH BANNERS ON POLES.

c) STREETSCAPING TREATMENT (CONTINUED)

II TYPICAL TREATMENT (CONTINUED)

- BENCHES AND LITTER CONTAINERS.

THIS TYPE OF TREATMENT IS FOR STREETS WITHIN THE STUDY AREA HAVING CONTINUOUS RETAIL FRONTAGE, AND IS TO BE UTILIZED IN PHASE II FOR JAMES STREET, BETWEEN MAIN STREET AND VINE STREET; KING WILLIAM STREET BETWEEN JAMES AND JOHN STREETS; AND, KING STREET EAST, BETWEEN MARY AND WELLINGTON STREETS.

III PARTIAL TREATMENT INCLUDES:

- TREE PLANTING
- BANNERS ON EXISTING LAMP POLES
- BENCHES AND LITTER CONTAINERS.

THIS TYPE OF TREATMENT IS FOR STREETS WITH DISCONTINUOUS RETAIL FRONTAGE OR, WHERE NO BUILDINGS OCCUR AT ALL (I.E., VACANT LOTS, PARKING LOTS, ETC.), AND WILL BE UTILIZED ON ALL OTHER STREETS WITHIN THE ENTIRE STUDY AREA AS PART OF THE PHASE III IMPROVEMENTS. ON HUGHSON STREET, BETWEEN KING AND KING WILLIAM STREETS, AND, ON JOHN STREET, BETWEEN MAIN AND KING WILLIAM STREETS, THE BALANCE OF PHASE III WILL BE IN TYPICAL TREATMENT. DIFFERENCES WITHIN EACH TREATMENT TYPE, TO REFLECT A THEMATIC CHANGE WITHIN THE STUDY AREA, WILL VARY BY WAY OF BANNER DESIGN (I.E., 'DOWNTOWN PROMENADE' B.I.A., JAMES STREET, KING WILLIAM, 'INTERNATIONAL VILLAGE'.).

IV BUFFER TREATMENT INCLUDES:

- TREE AND SHRUB PLANTING ALONG PARKING FRONTAGES.

THIS TYPE OF TREATMENT IS RECOMMENDED FOR USE ADJACENT TO ALL PARKING LOTS AND MAY BE USED IN CONJUNCTION WITH THE ABOVE THREE TREATMENTS.

V ALLEYWAY AND SERVICE LANE IMPROVEMENTS INCLUDE:

- DECORATIVE PAVING WHERE WARRANTED.
- BOLLARDS TO DEFINE VEHICULAR/PEDESTRIAN AREAS.
- IMPROVED SECURITY LIGHTING.
- SIGNAGE.

THIS TYPE OF TREATMENT IS TO BE UTILIZED FOR ALL ALLEYS AND SERVICE LANES, WHERE PEDESTRIAN LINKAGES ARE WARRANTED, AND CONSTITUTES PHASE IV OF THE ACTION PLAN, SCHEDULED FOR IMPLEMENTATION IN 1987 AND 1988.

VI GATEWAY TREATMENT COULD INCLUDE:

- A SERIES OF ILLUMINATED BANNERS, ETC., ON EITHER SIDE OF THE FIVE (5), MAJOR ENTRY INTERSECTIONS INTO THE DOWNTOWN STUDY AREA (I.E., YORK AT BAY, JAMES AT YORK; KING AT WELLINGTON; JOHN AT MAIN; AND, MAIN AT BAY).
- THE INTRODUCTION OF A DOWNTOWN LOGO/SYMBOL WHICH COULD BE INITIATED AT THIS POINT AND CARRIED THROUGHOUT THE DOWNTOWN.
- PERHAPS A SIMPLIFIED GRAPHIC DIRECTORY TO THE MOST CONVENIENT PARKING AREAS WHEN ENTERING FROM ANY ONE PARTICULAR POINT OF ENTRY.

THE GATEWAY TREATMENT WILL BE IMPLEMENTED AS PART OF PHASE II OF THE ACTION PLAN AND, THREE (3) OF THE FIVE GATEWAYS WILL BE WITHIN THE CORE REDEVELOPMENT AREA, DESIGNATED PURSUANT TO THE PROVISIONS OF THE PLANNING ACT.

PHASE II: THE  
SECOND PRIORITY ACTIONS

AS OUTLINED ABOVE, RELATIVE TO THE SCHEDULING OF THE FOUR (4) TYPES OF STREETScape IMPROVEMENT, PHASE II OF THE DOWNTOWN HAMILTON



ACTION PLAN, SCHEDULED FOR COMPLETE IMPLEMENTATION IN 1985,  
INCLUDES:

- IMPROVEMENTS TO JAMES STREET, BETWEEN MAIN STREET  
AND VINE STREET.
- IMPROVEMENTS TO KING WILLIAM STREET, BETWEEN JAMES  
AND JOHN STREETS.
- IMPROVEMENTS TO KING STREET EAST, BETWEEN MARY AND  
WELLINGTON STREET.
- IMPLEMENTATION OF THE GATEWAY TREATMENT AT FIVE (5),  
MAJOR ENTRY INTERSECTIONS (I.E., YORK AT BAY, JAMES  
AT YORK/WILSON, KING AT WELLINGTON, JOHN AT MAIN AND,  
MAIN AT BAY.).

#### APPOINTMENT OF DESIGN CONSULTANTS

AT IT'S MEETING HELD 1983 NOVEMBER 30, CITY COUNCIL, IN ADOPTING  
SECTION 1., THE TWENTY-SIXTH REPORT FOR 1983 OF THE PARKS AND  
RECREATION COMMITTEE, APPROVED THE RETENTION OF THE FIRM OF  
MOORHEAD FLEMING CORBAN MCCARTHY, LANDSCAPE ARCHITECTS, TO  
DESIGN, AND SUPERVISE THE CONSTRUCTION OF THE COMPLETION OF  
PHASE I OF THE DOWNTOWN HAMILTON ACTION PLAN.

SUBSEQUENTLY AND, BASED UPON BOTH THEIR PREVIOUS EXPERIENCE  
WITH PROJECTS OF A SIMILAR, COMPLEX NATURE AND SCOPE WITHIN  
OTHER JURISDICTIONS, AS WELL AS THEIR SUCCESSFUL DESIGN OF  
PHASE I OF THE PLAN, CITY COUNCIL, AT IT'S MEETING HELD 1985  
FEBRUARY 19, FURTHER APPROVED THAT:

THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY,  
LANDSCAPE ARCHITECTS AND RESOURCE PLANNERS,

APPOINTMENT OF  
DESIGN CONSULTANTS (CONTINUED)

BE RETAINED TO UNDERTAKE THE DESIGN, CONTRACT PREPARATION, AND CONSTRUCTION SUPERVISION OF THE PHASE II EXTENSION OF THE DOWNTOWN HAMILTON ACTION PLAN, IN ACCORDANCE WITH THEIR (THE ARCHITECT'S) WRITTEN PROPOSAL DATED 1984 DECEMBER 20, AS AMENDED BY FURTHER PROPOSAL DATED 1985 JANUARY 10, OUTLINING PREVIOUS EXPERIENCE RELATIVE TO SUCH MATTERS, FEES, ASSIGNED STAFF AND AN IMPLEMENTATION SCHEDULE FOR THIS PROJECT.

THE SECOND PHASE BEING AN EXTENSION OF THE FIRST AND, IN ORDER TO PROVIDE CONTINUITY THROUGHOUT, IT WAS BOTH LOGICAL AND REASONABLE TO FURTHER RETAIN THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY.

STUDY APPROACH

FROM THEIR MOST RECENT APPOINTMENT BY CITY COUNCIL (I.E., 1985 FEBRUARY 19) UP TO, AND INCLUDING THE PRESENT, THE CONSULTANT HAS UTILIZED THE FOLLOWING, BASIC STUDY APPROACH:

- BASED ON THE GENERAL, CONCEPTUAL FRAMEWORK OF THE DOWNTOWN HAMILTON ACTION PLAN, DU TOIT ASSOCIATES LTD.; SUBSEQUENT AND ONGOING STUDIES (E.G., PUBLIC TRANSIT AND, TRAFFIC-RELATED); AND, A THOROUGH UNDERSTANDING OF THE SPECIFIC CONCERNS OF BOTH THE BROADER, AND IMMEDIATE COMMUNITY, SKETCH CONCEPT PLANS WERE PREPARED FOR THE THREE BASIC STREET AREAS. THESE CONCEPT PLANS WERE SUITABLE FOR INTERNAL, TECHNICAL DISCUSSION AND, WITH BASIC REFINEMENT, SUITABLE FOR PRESENTATION TO

THE PUBLIC. MEETINGS WERE HELD WITH BUSINESSPEOPLE FROM ALL AREAS, AS WELL AS BI-WEEKLY WITH THE DOWNTOWN ACTION PLAN CO-ORDINATING COMMITTEE OF THE PLANNING AND DEVELOPMENT COMMITTEE.

- IN ADDITION TO APPRECIATING THE NEEDS AND SENSITIVITIES OF EFFECTED BUSINESSES AND OWNERS, IT HAS BEEN CRITICAL TO UNDERSTAND THE IMPLICATIONS OF STREET AND UTILITY UPGRADING, AND TO LIAISE WITH APPROPRIATE MUNICIPAL STAFF.

- SPECIFICALLY, THE SCOPE OF THE WORK GENERALLY INCLUDES:

CHANGES TO CURB ALIGNMENTS AS APPROPRIATE AND ACCEPTABLE.

SIDEWALK PAVING AND DESIGN.

PEDESTRIAN-SCALE LIGHTING.

STREET FURNITURE (BENCHES, LITTER CONTAINERS, BICYCLE RACKS, INFORMATION KIOSKS, ETC.).

DESIGNATION OF CAFÉ AND/OR SIDEWALK SALES AREAS.

SPECIAL USE AREAS.

TREE PLANTING.

BANNERS AND GRAPHICS  
(IF, AND AS APPROPRIATE).

OTHER APPROPRIATE SITE FEATURES.



- THE REVIEW PROCESS WITH STAFF AND PUBLIC INPUT TO CULMINATE WITH AN ACCEPTABLE, DETAIL DESIGN PLAN INDICATING AGREED UPON ARRANGEMENT OF THE ABOVE CONSIDERATIONS.
- SUBSEQUENTLY, PURSUANT TO PRESENTATION TO THE PLANNING AND DEVELOPMENT COMMITTEE OF CITY COUNCIL, THE DETAILED DESIGN PLANS TO BE PRESENTED TO A PUBLIC MEETING AND, SUBSEQUENT TO FURTHER REVIEW BY THE COMMITTEE, SUBMITTED TO CITY COUNCIL FOR APPROVAL.
- THE ACCEPTED DESIGN PLAN TO BE DEVELOPED INTO IMPLEMENTATION DRAWINGS, SUITABLE FOR TENDERING, WITH FULL CO-ORDINATION RELATED TO MUNICIPAL LIGHTING, AND UTILITY REQUIREMENTS.

AT A MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE, HELD THE EVENING OF 1985 APRIL 17, THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY PRESENTED THE DETAILED DESIGN PLANS TO THE GENERAL PUBLIC FOR COMMENT: MINUTES OF THAT PUBLIC MEETING ARE APPENDED, HERETO, AS APPENDIX 'A'.

SUBSEQUENTLY, AT A SPECIAL MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE, HELD 1985 APRIL 30, THE FINAL CONCEPT PLANS FOR PHASE II, DATED THAT SAME DATE, WERE APPROVED AND, LATER THAT SAME DATE, IN ADOPTING SECTION 4., THE THIRTEENTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, CITY COUNCIL CONCURRED...

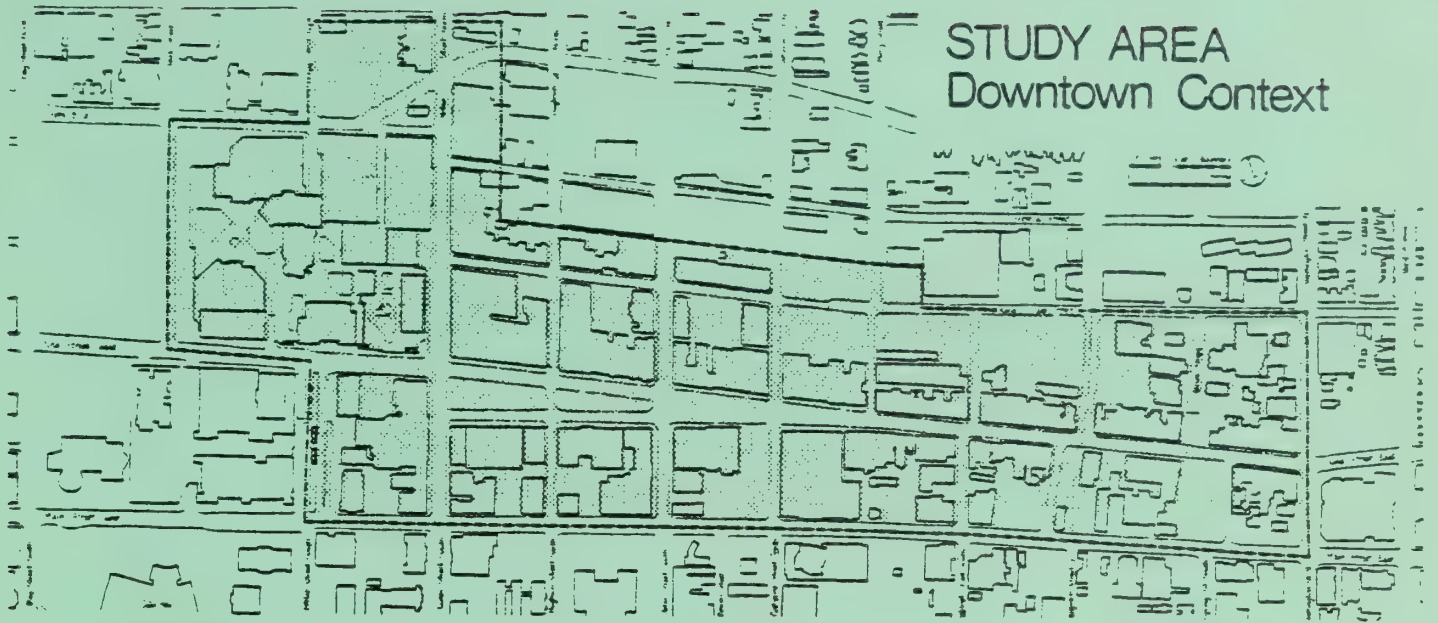
- '(A) THAT THE CONCEPT PLAN PREPARED BY MOORHEAD FLEMING CORBAN MCCARTHY, LANDSCAPE ARCHITECTS, DATED 1985 APRIL 30, FOR THE PHASE II STREET-SCAPE OF THE DOWNTOWN HAMILTON ACTION PLAN, ATTACHED HERETO AS APPENDIX "B" BE APPROVED; AND,

- (B) THAT THE WORKING DRAWINGS FOR THE PHASE II STREETScape BE SUBMITTED TO THE PLANNING AND DEVELOPMENT COMMITTEE FOR APPROVAL PRIOR TO TENDERING.'

FURTHER APPENDED HERETO, AS APPENDIX "C", IS THE 'STREETScape PHASE II COST ESTIMATE', DATED 1985 MARCH 27, AS REVISED 1985 APRIL 30, EXCLUDING MUNICIPAL ADMINISTRATION COSTS AND CONSULTANT'S DESIGN FEES.

CITY COUNCIL, AT IT'S MEETING HELD 1985 MAY 14, IN ADOPTING SECTION 17., THE FOURTEENTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, FURTHER APPROVED THE RETENTION OF MOORHEAD FLEMING CORBAN MCCARTHY TO CARRY OUT THE DESIGN OF THE FIVE (5) 'GATEWAYS', TO BE CO-ORDINATED WITH THE STREET-SCAPE DESIGN. AT SUCH TIME AS THE DESIGN IS COMPLETE, AND APPROVED BY CITY COUNCIL, THIS PART OF PHASE II (I.E., THE "GATEWAYS") WILL BE DEALT WITH AS AN APPENDIX TO THIS REDEVELOPMENT PLAN.

# STUDY AREA Downtown Context



## Municipal Context



One Mile

Fig. 1



Wednesday, 1985 April 17  
7:30 o'clock p.m.  
Second Floor Lobby, City Hall

**The Planning and Development Committee met**

There were present: Alderman W. M. McCulloch, Chairman  
Mayor R. M. Morrow  
Alderman T. Murray

Also present: Alderman B. Hinkley, Chairman, Parks and Recreation  
Committee  
Alderman J. A. Bethune, Chairman, Downtown Action Plan  
Co-ordinating Committee  
Mr. E. Kowalski, Director of Community Development  
Mr. E. M. Gill, Traffic Planning Engineer  
Mr. G. Godley, Manager, Neighbourhood and Area Plans'  
Section, Planning Department  
Mr. Steve Moorhead Moorhead Fleming  
Mr. Frank Basciano Corban and  
and Mr. P. Smith McCarthy  
Mr. J. D. Thompson, Secretary

A public meeting of the Planning and Development Committee was held to present draft plans for Phase II of the Downtown Action Plan.

Mr. Steve Moorhead presented the concept plan and slides for the Phase II Streetscape of the Downtown Hamilton Action Plan which includes King Street West from Mary to Wellington, James Street from Main to Vine, and King William Street from James to John.

With respect to the basic reconstruction schedule, Mr. Moorhead explained that the City would like to go to tender in May and start construction in June with a projected completion date in September. In order to avoid business interruption, the contractor will be instructed that no area is to be under construction for a prolonged period of time - i.e. 1 week to 10 days. Barring unforeseen conditions, such as inclement weather, specifications will be very specific in respect of staging of reconstruction.

During the question and answer period, Mr. Wasserman expressed concern over the type of tree grates to be used in the reconstruction program. He felt that they should be upgraded. He also submitted that each business district should be allowed to have input in respect of the colour and pattern of the brick paving stones to be used in the sidewalk reconstruction. The following suggestions were also submitted by merchants: use the same pattern of pavers on King Street as proposed for King William Street; erect signs informing the general public of the period of reconstruction; merchants on James Street want as much on-street parking as possible.

Following the general question and answer period, the Chairman stated that the various comments and suggestions will be taken under advisement and that written submissions from property owners or other interested persons must be received by 1985 April 26.

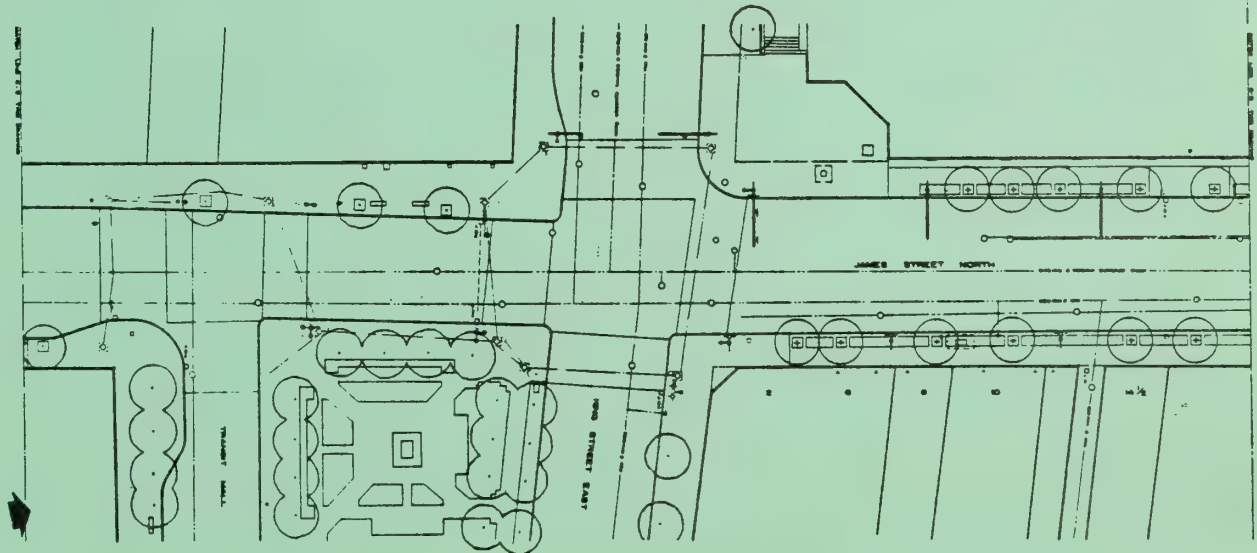
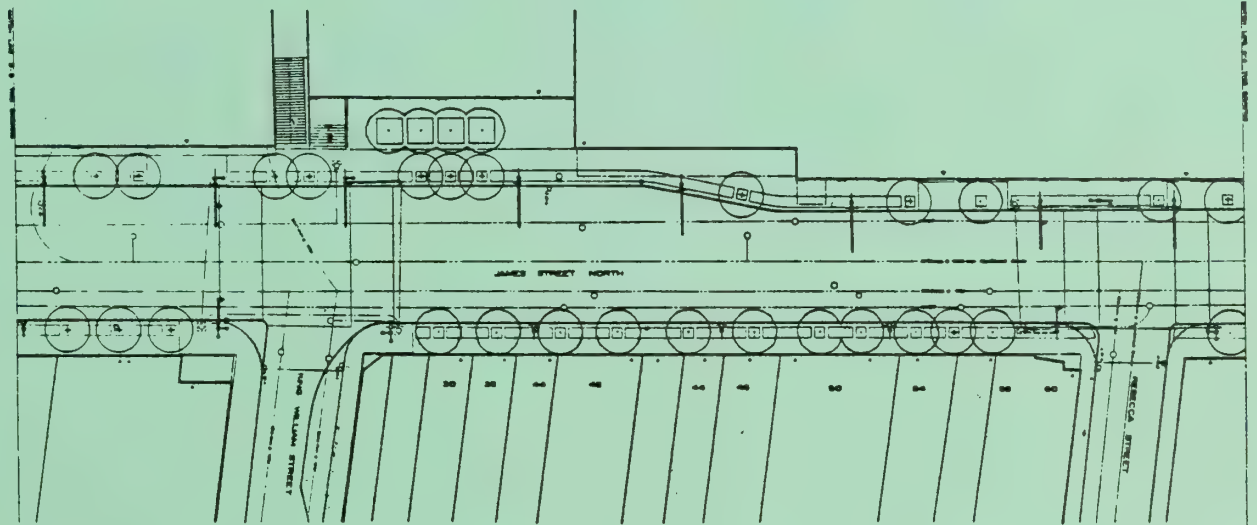
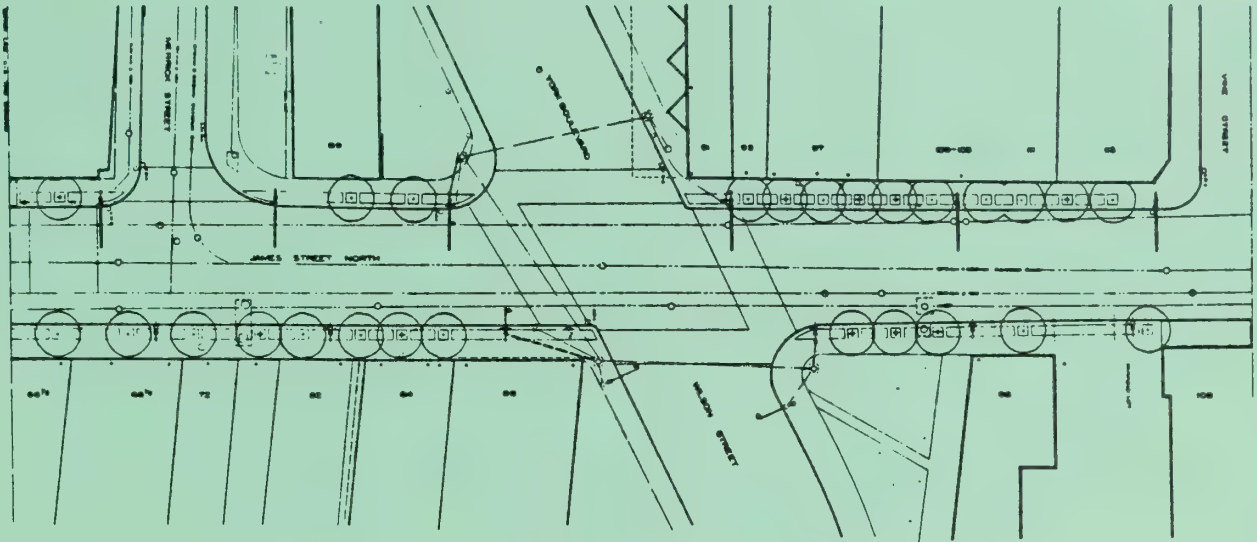
The meeting then adjourned

Taken as read and approved,

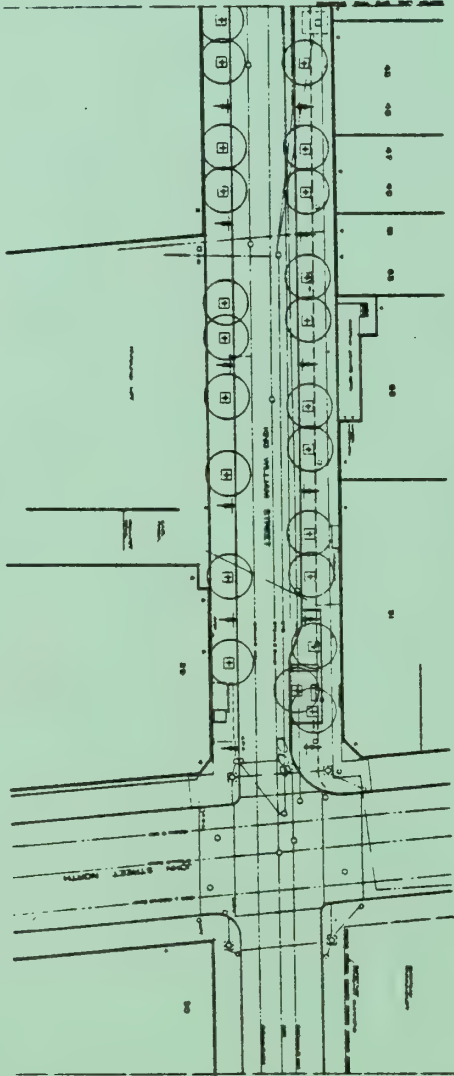
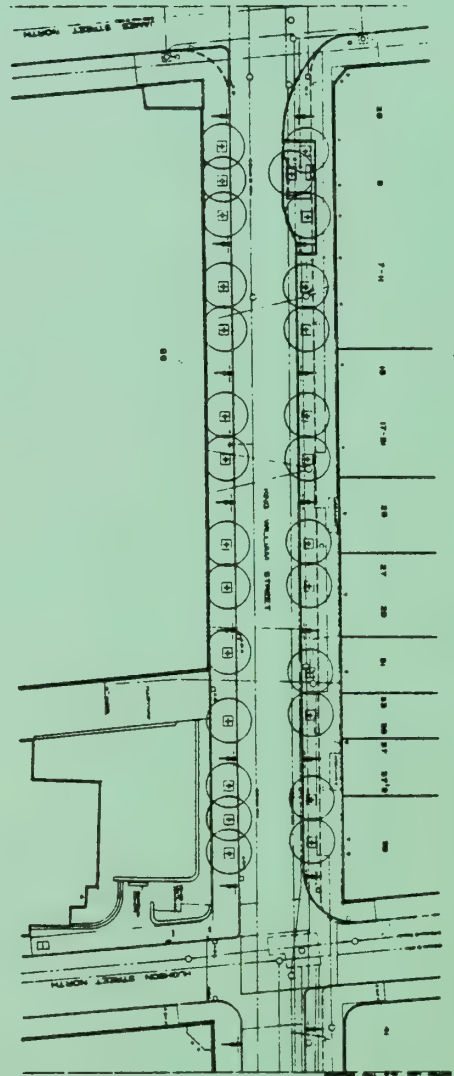
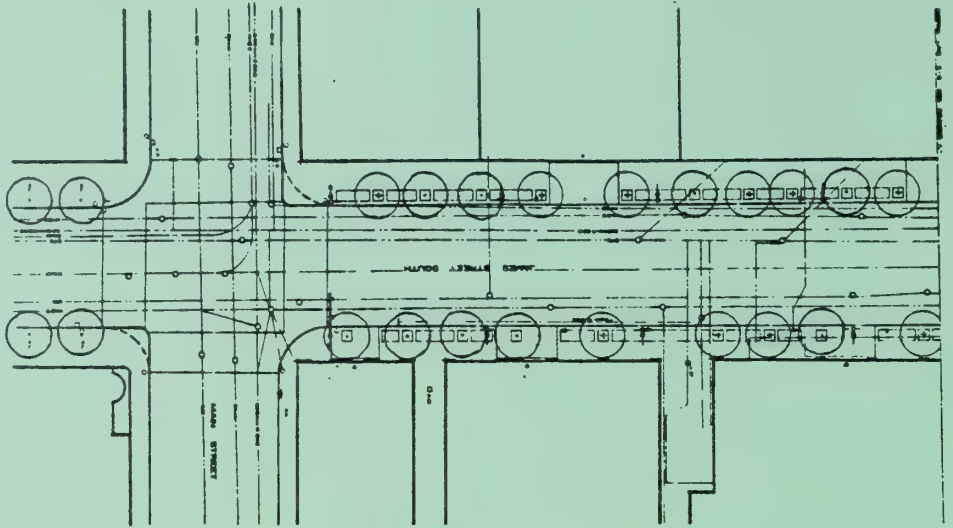
John D. Thompson, Secretary  
Planning and Development Committee  
1985 April 17

Alderman W. M. McCulloch, Chairman  
Planning and Development Committee

Typed by M. J. Walton

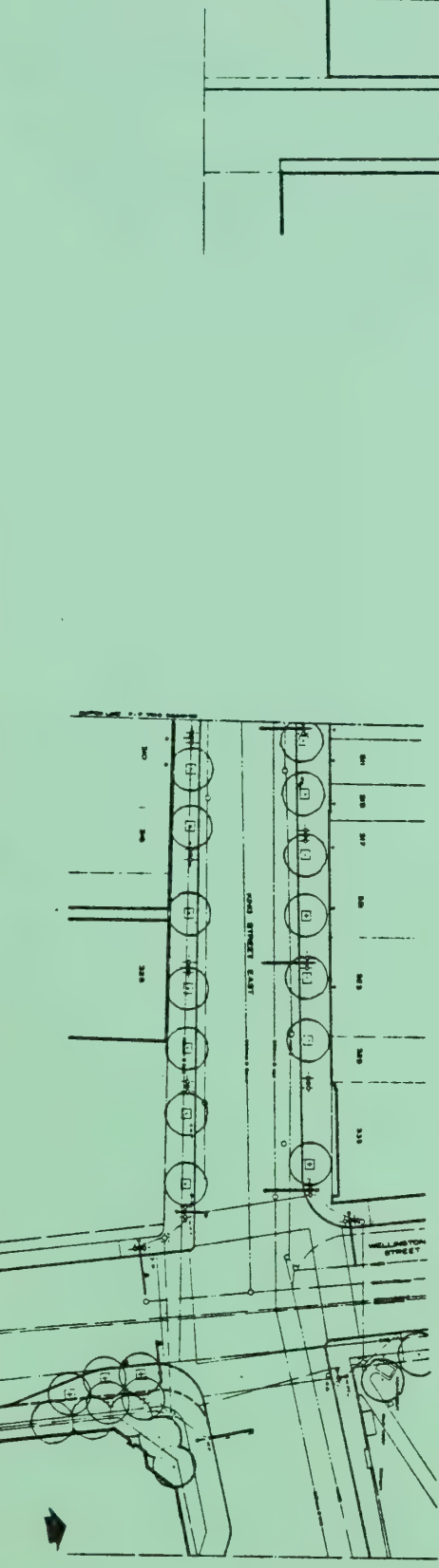
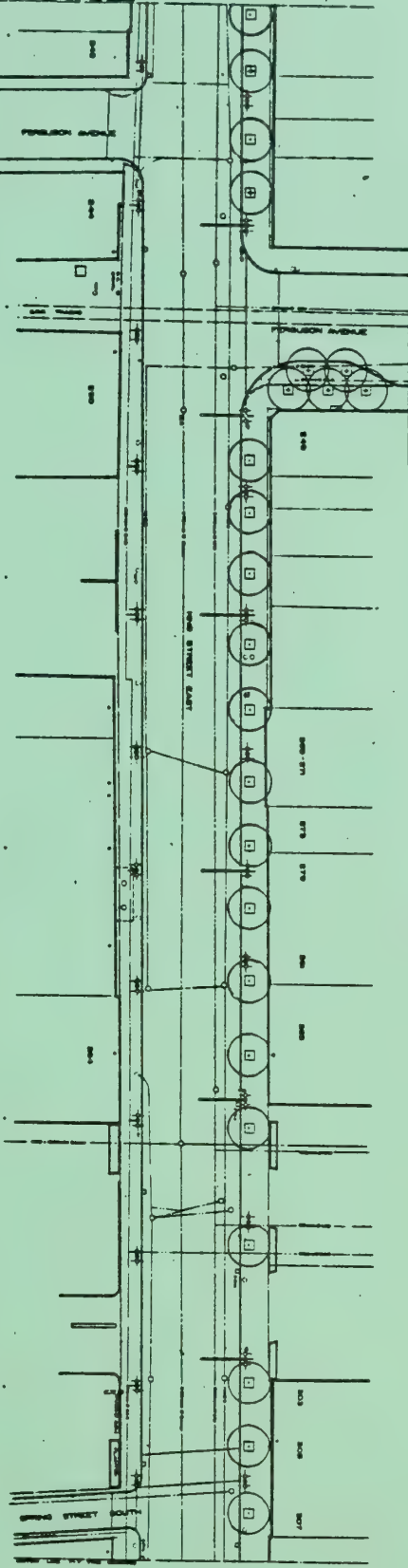
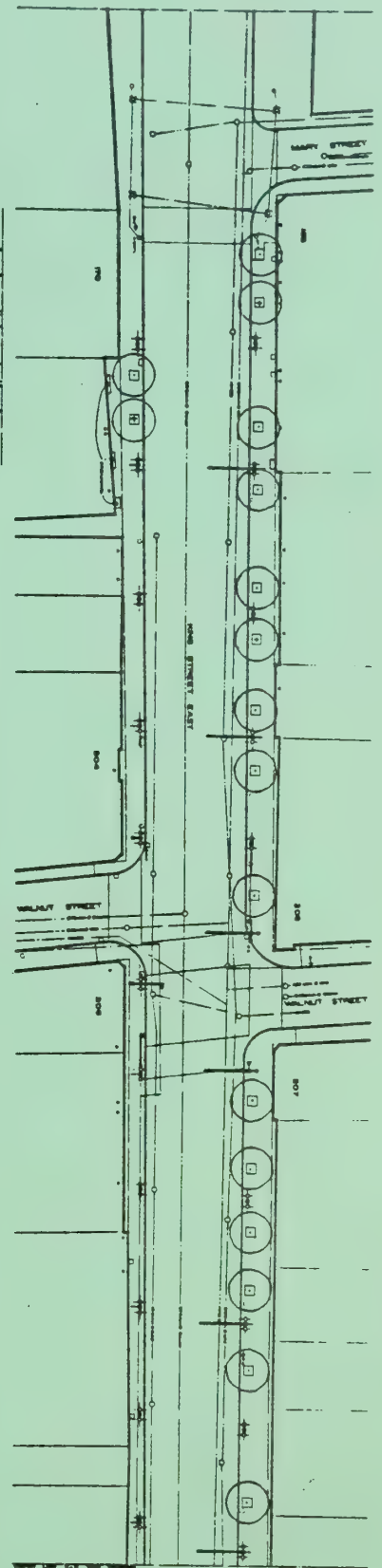


<p><b>NOTES:</b></p> <p>1. All dimensions are in feet and inches.</p> <p>2. All dimensions are to the center of the street.</p> <p>3. All dimensions are to the center of the sidewalk.</p> <p>4. All dimensions are to the center of the planting area.</p> <p>5. All dimensions are to the center of the building footprint.</p>		<p><b>REVISIONS:</b></p> <table border="1"> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> <tr> <td>1</td> <td>Initial Design</td> <td>10/1/00</td> </tr> <tr> <td>2</td> <td>Revised Design</td> <td>10/1/00</td> </tr> <tr> <td>3</td> <td>Final Design</td> <td>10/1/00</td> </tr> </table>	No.	Description	Date	1	Initial Design	10/1/00	2	Revised Design	10/1/00	3	Final Design	10/1/00
No.	Description	Date												
1	Initial Design	10/1/00												
2	Revised Design	10/1/00												
3	Final Design	10/1/00												
<p><b>PROJECT INFORMATION:</b></p> <p>Project Name: Downtown Hamilton Streetscape Phase II</p> <p>Project Location: Hamilton, Ontario</p> <p>Project Number: 1002</p> <p>Project Date: April 20, 2000</p> <p>Project Status: Approved</p> <p>Project Manager: [Name]</p> <p>Project Engineer: [Name]</p> <p>Project Designer: [Name]</p> <p>Project Draftsman: [Name]</p>														
<p><b>LAYOUT PLAN:</b></p> <p>Scale: 1" = 200'</p> <p>Sheet: L-4</p>														



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NO.	DESCRIPTION	DATE
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9	Revised	11/1/77
10	Revised	11/1/77

**McGraw-Hill**  
Engineering & Architecture  
22 South Street  
New York, New York  
10038  
(212) 512-2000

**Downtown Hamilton  
Action Plan  
Streetscape  
Phase II**

**LANDSCAPE PLAN**

Scale	1" = 20'
Date	April 20, 1988
Drawn	J. J. J.
Approved	J. J. J.
Project No.	88-2
Client Project No.	
Drawing No.	

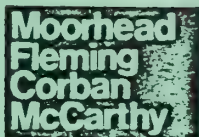
**L-6**

DOWNTOWN HAMILTON ACTION PLAN  
STREETSCAPE PHASE II  
COST ESTIMATE  
March 27, 1985  
April 30, 1985 (Revised)

Description	Quantity	Unit	Unit Cost	Total Cost
<b>KING WILLIAM STREET</b>				
<u>Demolition</u>				
1. Asphalt Scarification	1575	m <sup>2</sup>	\$ 1.00	\$ 1,575.00
2. Curb	485	m	5.50	2,668.00
3. Sidewalk	1290	m <sup>2</sup>	13.00	16,770.00
4. Asphalt	560	m <sup>2</sup>	6.00	3,360.00
5. Electrical Poles	9	each	400.00	3,600.00
<u>New Work</u>				
1. Curb	480	m	35.00	16,800.00
2. Sidewalk	1730	m <sup>2</sup>	50.00	86,500.00
3. Crossings	150	m	35.00	5,250.00
4. Trees complete with grates	56	each	750.00	42,000.00
5. Light Poles	28	each	3,200.00	89,600.00
6. Road Resurface (75mm)	1575	m <sup>2</sup>	9.00	14,175.00
7. Concrete Road Base	290	m <sup>2</sup>	20.00	5,800.00
8. CB Relocation	4	each	1,500.00	6,000.00
9. Miscellaneous			Lump Sum	12,000.00
				<u>\$ 306,098.00</u>

**JAMES STREET**

<u>Demolition</u>				
1. Asphalt Removal/saw cut	897	m <sup>2</sup>	6.00	5,382.00
2. Curb	720	m	5.50	3,960.00
3. Sidewalk	2714	m <sup>2</sup>	13.00	35,282.00
4. Electrical Poles	49	each	400.00	19,600.00
<u>New Work</u>				
1. Curb	720	m	35.00	25,200.00
2. Asphalt Repairs	432	m <sup>2</sup>	40.00	17,280.00
3. Sidewalk	2714	m <sup>2</sup>	38.00	103,132.00
4. Crossings	720	m <sup>2</sup>	35.00	25,200.00
5. Light Poles	22	each	3,200.00	70,400.00
6. Traffic Poles	10	each	5,600.00	56,000.00
7. Trolley Poles	18	each	4,600.00	82,800.00
8. Trees	38	each	500.00	19,000.00
9. Miscellaneous			Lump Sum	17,000.00
				<u>\$ 480,236.00</u>



DOWNTOWN HAMILTON ACTION PLAN  
STREETSCAPE PHASE II  
COST ESTIMATE  
March 27, 1985  
April 30, 1985 (Revised)

Page 2.

Description	Quantity	Unit	Unit Cost	Total Cost
<b>KING STREET</b>				
<u>Demolition</u>				
1. Asphalt	1100	m <sup>2</sup>	6.00	6,600.00
2. Curb	875	m	5.50	4,813.00
3. Sidewalk	2750	m <sup>2</sup>	13.00	35,750.00
4. Electrical Poles	37	each	400.00	14,800.00
5. Miscellaneous			Lump Sum	5,000.00
<u>New Work</u>				
1. Asphalt	534	m <sup>2</sup>	15.00	8,010.00
2. Curb	875	m	35.00	30,625.00
3. Sidewalk	2650	m <sup>2</sup>	45.00	119,250.00
4. Crosswalk	560	m <sup>2</sup>	35.00	19,600.00
5. Trees complete with Grates	13	each	750.00	9,750.00
6. Grates	43	each	250.00	10,750.00
7. Traffic Poles	5	each	5,600.00	28,000.00
8. Light Poles	40	each	3,200.00	128,000.00
9. Trolley Poles	17	each	4,600.00	78,200.00
10. Miscellaneous			Lump Sum	20,000.00
				<hr/>
				\$ 519,148.00

SUMMARY

KING WILLIAM STREET	\$ 306,098.00
JAMES STREET	480,236.00
KING STREET	519,148.00
	<hr/>
	\$1,305,482.00
Contingency	100,000.00
	<hr/>
	\$1,405,482.00

**POSSIBLE OPTIONS**

	Qty.	Unit	Unit Cost	Total
1. Metal in lieu of concrete tree grates (extra)	104	each	\$ 500	\$52,000 Extra
2. Bring pavers up to tree with collar on King Street	104	each	(\$ 185)	(\$19,240) Credit
3. Victorian fixture in lieu of clear spheres on King St. East	120	each	\$ 200	\$24,000 Extra



COMMERCIAL AREA IMPROVEMENT  
PROGRAMME:

PROVINCIAL/MUNICIPAL COST-SHARING

CITY COUNCIL, AT ITS MEETING HELD 1984 MAY 29, IN ADOPTING SECTION 7., THE TENTH REPORT FOR 1984 OF THE PLANNING AND DEVELOPMENT COMMITTEE, AUTHORIZED THAT AN APPLICATION BE MADE TO THE MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING SEEKING FINANCIAL ASSISTANCE, PURSUANT TO THE PROVISIONS OF THE COMMERCIAL AREA IMPROVEMENT PROGRAMME (C.A.I.P.), IN THE IMPLEMENTATION OF PHASE II OF THE DOWNTOWN HAMILTON ACTION PLAN. SUBSEQUENTLY, BY LETTER DATED 1984 OCTOBER 10, THE THEN MINISTER OF MUNICIPAL AFFAIRS AND HOUSING, THE HONOURABLE CLAUDE F. BENNETT, ADVISED THAT THE REVIEW OF MUNICIPAL APPLICATIONS FOR FUNDING FOR THE 1984-85 FISCAL YEAR HAD BEEN COMPLETED AND, THAT THE CITY OF HAMILTON HAD BEEN ALLOCATED TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$275 000) BY THE PROVINCE OF ONTARIO.

IN ADDITION, WITH THE DECISION OF CITY COUNCIL TO INCLUDE, IN THE 1985-1989 CAPITAL BUDGET, PROVISION TO IMPLEMENT PHASE III OF THE DOWNTOWN HAMILTON ACTION PLAN, CITY COUNCIL, AT ITS MEETING HELD 1985 FEBRUARY 26, IN ADOPTING SUB-SECTION (D), SECTION 14., THE FOURTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, AUTHORIZED AND DIRECTED THAT A FURTHER APPLICATION BE MADE, TO THE MINISTRY, SEEKING FINANCIAL ASSISTANCE. SUBSEQUENTLY, BY LETTER DATED 1985 APRIL 19, THE HONOURABLE DENNIS R. TIMBRELL, MINISTER OF MUNICIPAL AFFAIRS AND HOUSING ADVISED THAT, PURSUANT TO THE REVIEW OF MUNICIPAL APPLICATIONS FOR FUNDING FOR THE 1985-86 FISCAL YEAR, THE CITY OF HAMILTON HAD BEEN ALLOCATED AN ADDITIONAL FOUR HUNDRED THOUSAND DOLLARS (\$400 000) PURSUANT TO THE PROVISIONS OF THE C.A.I.P.

SCHEDULES I AND II OF THIS APPENDIX PROVIDE, RESPECTIVELY, 'ITEMIZED COST ESTIMATES' AND, A 'CAIP PROJECT IMPLEMENTATION TIMETABLE AND ESTIMATE OF CASH FLOW', FOR PHASE II ONLY, BASED UPON THE PROVINCIAL ALLOCATION (I.E., \$275 000). CONSEQUENTLY, THE SCHEDULES REFLECT A GROSS PROJECT COST OF ONLY FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550 000), FOR PROVINCIAL ADMINISTRATIVE PURPOSES ONLY. AT SUCH TIME AS CITY COUNCIL APPROVES THE CONCEPTIONAL DESIGN AND COST ESTIMATES FOR STAGE I OF PHASE III (I.E., THE "GATEWAY TREATMENT" AT FIVE MAJOR, ENTRY INTERSECTIONS), FOR IMPLEMENTATION THIS YEAR (I.E., 1985), FURTHER SCHEDULES WILL BE PROVIDED FOR THIS APPENDIX INDICATING BOTH THE ITEMIZED COST ESTIMATES AND, AN IMPLEMENTATION TIMETABLE AND CASH FLOW ESTIMATE RELATIVE TO A GROSS, PHASE III COST OF EIGHT HUNDRED THOUSAND DOLLARS (\$800 000).

## ITEMIZED COST ESTIMATES

P R O J E C T   D E T A I L S	Cost Estimate	Municipal Share (50%)	Provincial Share (50%)		
			Loan	Grant	Total
<u>KING WILLIAM STREET: NEW WORK</u>					
1. Pedestrian Scale Lighting	89 600	44 800		44 800	44 800
2. Trees, c/w Grates	42 000	21 000	21 000		21 000
3. Sidewalk	86 500	43 250	43 250		43 250
 <u>JAMES STREET: NEW WORK</u>					
1. Pedestrian Scale Lighting	70 400	35 200	23 425	11 775	35 200
2. Trees	19 000	9 500	9 500		9 500
3. Sidewalk	17 375	8 687.50	8 687.50		8 687.50
 <u>KING STREET EAST: NEW WORK</u>					
1. Pedestrian Scale Lighting	128 000	64 000	64 000		64 000
2. Trees, c/w Grates	9 750	4 875	4 875		4 875
3. Sidewalk	17 375	8 687.50	8 687.50		8 687.50
 <u>Sub-Total</u>	480 000	240 000	183 425	56 575	240 000
<u>Administration (Not to Exceed 15% of the Sub-Total)</u>	70 000	35 000	NIL	35 000	35 000
<u>Total</u>	550 000	275 000	183 425	91 575	275 000



[illegible]

(1) April 1 - June 30; (2) July 1 - Sept. 30; (3) October 1 - December 31; (4) January 1 - March 31.



## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTEENTH** Report for 1985 and respectfully recommends:

1. That approval be given to **Zoning Application 85-40, Henry Hader, owner**, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the east side of Berkindale Drive at Swan Street, as shown on the attached map marked as APPENDIX "A", on the following basis:
  - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
    - (i) That notwithstanding the provisions of Section 9. (3) (iii), a minimum rear yard of 5.5 m (18 feet) shall be required.
  - (c) That the amending by-law be added to Section 19B of By-law No. 6593 as Schedule S-918, and that the subject lands on Zoning District Map E-124 be notated S-918;
  - (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-124;
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** - The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, for property on the east side of Berkindale Drive at Swan Street as shown on the attached map marked as APPENDIX "A".

The effect of the by-law is to permit the division of the subject lands into two building lots for single-family dwellings.

In addition, the by-law provides for a variance to the minimum rear yard requirement by reducing it from 7.5 m (24.61 feet) down to 5.5 m (18.04 feet).

2. That approval be given to **Zoning Application 85-41, P. and Z. Petranovic, owners**, for a change in zoning from "AA" (Agricultural) District to



"C" (Urban Protected Residential, etc.) District, for property located at No. 1305 Limeridge Road East, as shown on the attached plan marked as APPENDIX "B" on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-59A and E-59B;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (d) That the Lisgar Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Single and Double" Residential.

**Explanatory Note:** - The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at No. 1305 Limeridge Road East, as shown on the attached map marked as APPENDIX "B".

The effect of the by-law is to permit the division of the property into three building lots for single-family dwellings.

3. That approval be given to **Zoning Application 85-33, St. Elizabeth Home Society of Hamilton, owner**, for a further modification to the "DE" (Low Density Multiple Dwellings) District regulations applicable to property located on the south side of Rymal Road West at Garth Street, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the "DE" (Low Density Multiple Dwellings) District regulations as contained in Section 10A of By-law No. 6593, as amended by By-laws No. 79-226 and 83-221, applicable to the subject lands be further modified to include the following variances as special requirements:
  - (i) That notwithstanding the provisions of Section 10A. (1) of By-law No. 6593, a ground sign having a maximum height of 5.0 m (16.4 feet) and a maximum width of 4.0 m. (13.12 feet) shall be permitted;
  - (ii) That notwithstanding the provisions of Section 2.7.(a) of By-law No. 79-226, the ground sign shall not be situated closer than 3.04 m (10.0 feet) to the front lot line.
- (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-664C, and that the subject lands on Zoning District Map W-17E be notated S-664C;
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-17E;

- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** - The purpose of the by-law is to provide for a further modification to the established "DE" (Low Density Multiple Dwellings) District regulations applicable to the lands located on the south side of Rymal Road West at Garth Street, as shown on the attached map marked as APPENDIX "C".

The effect of the by-law is to permit a ground sign having a maximum height of 5.0 m (16.4 feet) and a maximum width of 4.0 m (13.12 feet) to be located on the property.

In addition, the by-law provides a variance to allow the sign to be located within a minimum of 3.04 m (10 feet) of the front lot line instead of the required 12.0 m (40 feet).

4. (A) That approval be given to **Zoning Application 85-43, Agresta's Italian Kitchen, Inc., Lessee**, to establish a modification to the "H" (Community Shopping and Commercial, etc.) District regulations applicable to property located at the north-east corner of Ottawa Street North and Main Street East, as shown on the attached plan marked as APPENDIX "D" on the following basis:
- (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:
- (i) That notwithstanding Section 14.(1) an accessory patio shall be permitted in conjunction with a restaurant. The patio may be licenced under The Liquor Licence Act, 1975, with a Patio Licence.
- (b) That the "Parking and Loading Requirements" as contained in Section 18A of By-law No. 6593, applicable to the subject lands, be modified to include the following variance:
- (i) That Section 4.(f) of TABLE 1 shall not apply to an accessory patio use.
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-919, and that the subject lands on Zoning District Map E-54, be notated S-919;
- (d) That the City Solicitor be directed to prepare a by-law to amend By-law No. 6593, and Zoning District Map E-54.
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- (B) That Council passage of the amending by-law be withheld until such time as the applicant has entered into an Outdoor Boulevard Cafe Agreement with the Regional Municipality of Hamilton-Wentworth, which in part, includes the following requirements:
- (a) the closing hour of operation for the proposed patio shall be established at 10:00 p.m.;
  - (b) the outdoor patio area shall be limited to a capacity of 20 persons;
  - (c) a site plan showing appropriate landscaping and fencing as may be required, as part of the agreement for the patio area, shall be submitted and approved by the City of Hamilton Planning and Development Committee prior to finalization of the Boulevard Cafe Agreement.

**Explanatory Note:** - the purpose of the by-law is to provide for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations applicable to the lands located at the north-east corner of Ottawa Street North and Main Street East as shown on the attached plan marked as APPENDIX "D".

The effect of the by-law is to permit an outdoor and seasonal patio as an accessory use to an existing restaurant known as Agresta's Restaurant. In addition, the by-law waives the requirement for four parking spaces for the patio use.

5. That approval be given to an amended **Zoning Application ZA-85-36 by Suncor Inc., owner**, requesting a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District and "C" (Urban Protected Residential, etc.) District, for property located on Queen Victoria Drive at Loconder Drive, as shown on the attached plan marked as APPENDIX "E", on the following basis:
- (a) That the lands shown as BLOCK "1" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - (b) That the lands shown as BLOCK "2" be rezoned from "AA" (Agricultural) to "C" (Urban Protected Residential, etc.) District;
  - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-49B;
  - (d) That the Quinndale Neighbourhood Plan be amended for BLOCK "1" by changing the designation from "low density apartments" to "single and double" residential;
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



**Explanatory Note** - the purpose of the by-law is to provide for a change in zoning for property located on Queen Victoria Drive at Loconder Drive, as shown on the attached map marked as APPENDIX "E", on the following basis:

BLOCK "1" From "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;

BLOCK "2" From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

The effect of the by-law is to permit the creation of 6 lots for the development of small lot single-family dwellings on BLOCK "1", and 7 lots for single-family dwellings on BLOCK "2".

6. That **Zoning Application 85-37 John M. R. Ribson, Lessee**, for a further modification to the "E-3" (High Density Multiple Dwellings) District regulations to permit the existing variety store within the apartment building at No. 125 Wellington Street North to have direct access to the exterior of the subject building adjacent to Wilson Street so that the general public can shop in the store, and to permit an outside wall sign to identify the variety store, **BE DENIED** for the following reason:

"Approval of the application would not maintain the intent of an Order of the Ontario Municipal Board dated 1978 November 17 which had the effect of only allowing tenants of the apartment building to patronize the variety store."

7. That **Zoning Application 85-35 by Robert John Legedza, owner** requesting a change in zoning from "D" (Urban Protected Residential - One and Two-Family dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for property located at No. 219 Bay Street North, to permit the sale of used cars from the subject property, **BE DENIED** for the following reasons:

- (a) The proposal does not comply with the Official Plan or the approved Central Neighbourhood Plan;
- (b) The proposal is not compatible with surrounding uses and represents an undesirable intrusion of a highway oriented commercial use into an established residential area;
- (c) Approval of the application would set an undesirable precedent for future similar applications in the immediate area;

8. That **Zoning Application ZA 85-38 by Suresh Asrani, prospective owner**, for a modification to the established "C" (Urban Protected Residential, etc.) District provisions applicable to the property located at No. 238 West 15th Street to permit an office for the design and drafting of water treatment equipment, and the provision of secretarial services **BE DENIED** for the following reasons:

- (a) The proposal does not comply with the Official Plan which designates the property Residential.
  - (b) The proposal represents an intrusion of commercial development into an established residential area.
9. (A) That Item 11 of the Fourteenth Report of the Planning and Development Committee approved by City Council on 1984 July 31 regarding the Riverdale Neighbourhood Plan be rescinded.
- (B) That the Riverdale East Neighbourhood Plan be changed in accordance with the attached map marked as APPENDIX "F".
- (C) That the City initiate a change to the draft plan of subdivision for Strawberry Hills to reflect this change of policy in the Vittorito Avenue area and inform the Region.
- (D) That the provision of the second access to Lake Avenue remain as a condition of the draft plan of subdivision for Strawberry Hills and that this recommendation be forwarded to the Transport and Environment Committee with a view to retaining the following condition of the draft plan approval for Strawberry Hills.
- (i) That City Council by resolution agree to take steps to acquire the lands required for the extension of street 'C' to connect with Lake Avenue and to establish said connection by a street by-law.

**Explanatory Note:** - A review of the proposed link from the Strawberry Hills area to the remainder of the Riverdale East Neighbourhood reveals that the community opposes the roadway link.

10. (A) That approval be given to **Application SA-85-02, 305308 Ontario Inc., owners**, to establish a draft plan of subdivision located on the west side of Grays Road abutting Lake Ontario, subject to the following conditions:
- (i) That this approval apply to the plan prepared by MacKay, MacKay and Peters, dated March 1985, reference number S-6457, revised to relocate the road southerly providing minor lotting changes to comply with the zoning requirements.
  - (ii) That the road allowance be dedicated as public highway on the final plan.
  - (iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the zoning by-law approved under The Planning Act.

- (v) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
  - (viii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (B) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-02), 305308 Ontario Inc., owners proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
  - (C) That the subsection 2(a) of By-law 84-152 be amended to refer to "the existing concrete breakwall" in place of "the northerly property line adjacent to the Lake Ontario shoreline".
11. That City Council support granting a one year extension to the draft approvals for Mohawk Gardens - Phase 3 (Regional File No. 25T-79036) and Aquila Place (Regional File No. 25T-79002) subdivision.
  12. (A) That the report on Operation 20,000 Dwelling Units - Montreal Housing Programme attached hereto and marked as APPENDIX "G",  
**BE RECEIVED.**
  - (B) That the Planning Department be directed to investigate and report on the feasibility of implementing a programme of affordable housing for Hamilton based on the Montreal project.

**Explanatory Note:** - On 1985 February 26, Council authorized Alderman McCulloch, Mr. Sage and Mr. Abraham to investigate and report on Montreal's unique housing programme - Operation 20,000 Dwelling Units. This programme has been implemented in Montreal to promote and attract affordable housing in the City.

13. That, pursuant to the provisions of Section 94 of The Ontario Municipal Board Act, the City Solicitor be authorized and directed to file a formal appeal with the Provincial Cabinet against the Decision of the Ontario Municipal Board dated 1985 June 05 in which the Board refused to give its approval to the City's Official Plan Amendment No. 11 and the by-laws passed in accordance therewith for the establishment of the Keith Neighbourhood "Buffer Zone".



14. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

- ( i)            110 Hillyard Street
- ( ii)           147 Belview
- (iii)           83 Hillyard Street
- ( iv)           608 King Street East

15. That approval be given for the establishment of the following positions and purchase of appurtenant equipment and furniture in the Building Department:-

- (i) Re-instate reduction package 03 of the Department's 1985 budget submission (1 Inspector .25 Stenographer) \$ 25,600.
- (ii) Re-instate reduction package 04 of the Department's 1985 budget submission (1 Inspector .25 Stenographer) \$ 33,600.
- (iii) Two additional House Plan Examiners and Draftsman \$ 27,100.
- (iv) Two Stenographer III's \$ 19,900.
- (v) Continue employment of one contract person for June July August and September (presently working) \$ 8,500.
- (vi) Purchase new office furniture to accommodate the additional personnel and utilize the existing office space efficiently \$110,000.
- (vii) Purchase of two typewriters \$ 1,800.
- Total \$226,500.

**Note:** - The figures shown in items (i) to (iv) above represent a six month period.

It is further recommended that: -

- (a) The above Inspector positions be filled from the applicants recently interviewed without reposting.
- (b) The Personnel Director be authorized through the Personnel Committee to post all other positions immediately so that applicants may be interviewed as early as possible.

- (c) The Finance Committee be requested to recommend the method of financing the total cost estimated to be \$ 226,500.
- (d) The Building Department and Fire Prevention Bureau discuss the possibility of implementing the transfer of the responsibility for the issuing of Capacity Cards for Places of Assembly from the Building Commissioner to the Chief Fire Prevention Bureau.

**Explanatory Note:** - For the information of the members of City Council, the construction activity in Hamilton has seen a substantial increase during the first five months of 1985. This increase has resulted in a severe backlog of building permits, zoning verifications, etc.

With respect to building permits, waiting periods of up to nine weeks have been experienced for commercial, multi-residential and industrial jobs. The waiting period for one and two family dwellings is approximately three weeks.

The Committee has found this waiting period unacceptable and feels that the above measures will reduce the waiting period for applicants who have applied for building permits.

Due to increased activity in construction under Building Permit and the sustained strong real estate market, the Department is able to upgrade its revenue estimates for 1985 as follows so that the above scheme can be implemented without cost to the Corporation.

DESCRIPTION	ORIGINAL ESTIMATES	NEW ESTIMATES
Building Permits	\$ 1,100,000.	\$ 1,500,000.
Zoning Verification Certificate	\$ 60,000.	\$ 70,000.
Property Reports	<u>\$ 80,000.</u>	<u>\$ 95,000.</u>
Total	<b>\$ 1,240,000.</b>	<b>\$ 1,665,000.</b>
Additional Estimated Revenue		\$ 425,000.
Projected Expenditures		<u>\$ 226,500.</u>
Net Surplus		\$ 198,500.

16. (A) That the Finance Committee be requested to recommend that the approval of the Ontario Municipal Board (O.M.B.) be sought, in 1985, for financing the entire Phase III Implementation Measures of the Downtown Hamilton Action Plan, scheduled to commence in 1985; and,
- (B) That the Finance Committee recommend a method of financing the costs of the Phase III Implementation Measures.

**Explanatory Note:** - For the information of the members of City Council, Section 2 of the Ninth Report for 1985 of the Finance Committee, adopted by City Council at its meeting held 1985 May 14, referred only to financing the cost of the 1985 construction portion of Phase III, in the amount of three hundred twenty-nine thousand dollars (\$329,000).

While the balance of Phase III will not be implemented until the 1986 construction season, approval of the project/financing by the O.M.B. is required in 1985 in order that designs can be developed, in 1985, for tendering in Spring 1986 and construction that same summer.

The City of Hamilton has received a Provincial allocation of four hundred thousand dollars (\$4,000,000), pursuant to the provisions of the Commercial Area Improvement Programme (C.A.I.P.), toward the cost of implementing Phase III and, it is required that the Phase III redevelopment plan be adopted by 1985 December 31.

17. That the City Solicitor be hereby authorized and directed to amend By-law No. 83-71, as amended by By-law No. 83-250 and By-law No. 84-168 to make appointments to and resignations from the Board of Management of the "Downtown Promenade" B.I.A. as shown on the attached schedule marked as APPENDIX "H".
18. That approval be given to the following list of applicants for Phase I of the City of Hamilton Termite Programme, and that the Department of Community Development be authorized to process loans and grants on the basis of the approved terms of reference.

For the information of the members of City Council the exact loan amounts will be processed for approval by the Committee at a later date.

#### **Termite Control Programme - Phase I**

- |   |  |
|---|--|
| 1. N. Bresolin<br>74 Pottruff Road North            | 11. Mr. Sanderson<br>509 Queenston Road      |
| 2. R. Falla<br>70 Pottruff Road North               | 12. Moriano & Partners<br>513 Queenston Road |
| 3. Mr. Clark<br>64 Pottruff Road North              | 13. R. Mungo<br>517 Queenston Road           |
| 4. Mr. Guculuk<br>58 Pottruff Road North            | 14. Mr. Clayton<br>519 Queenston Road        |
| 5. Maletesta Construction<br>54 Pottruff Road North | 15. G. DeSantis<br>523 Queenston Road        |
| 6. Maletesta Construction<br>50 Pottruff Road North | 16. Mr. Falletta<br>531 Queenston Road       |



- |                                       |  |
|---------------------------------------|--|
| 7. G. Best<br>44 Pottruff Road North  | 17. D. Hardie<br>535 Queenston Road                      |
| 8. Mr. Ross<br>36 Pottruff Road North | 18. Mrs. Buzuk<br>537 Queenston Road                     |
| 9. M. Smith<br>32 Pottruff Road North | 19. DiCenzo Construction Co.<br>Woodman Drive Townhouses |
| 10. Dr. Quick<br>505 Queenston Road   | 20. A. Stasiuk<br>43 Goggin Avenue                       |

19. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and the Hamilton Rehabilitation Programme.

#### **Ontario Home Renewal Programme**

- |                |                         |
|----------------|-------------------------|
| a) W. Oldfield | 11 Kirk Road            |
| b) M. MacEwen  | 75 Tisdale Avenue South |
| c) C. Johnston | 294 Sanatorium Road     |
| d) R. Rowe     | 166 East 33rd Street    |

#### **Hamilton Rehabilitation Programme**

- |              |                 |
|--------------|-----------------|
| a) W. Halton | 191 Bell Avenue |
|--------------|-----------------|

20. In respect of the residential properties known as 65 and 69 Fullerton Avenue which have been expropriated for redevelopment, that the City Clerk be authorized and directed pursuant to The Expropriations Act to:

- (a) Sign and serve Notices pursuant to Section 41 of The Expropriations Act that possession of these properties is required by the City;
- (b) Sign and serve Offers of Compensation pursuant to Section 25 of The Expropriations Act for the expropriated lands as follows:

**65 FULLTERTON AVENUE**

**OFFER OF COMPENSATION**

**FORMER REGISTERED OWNERS**

**\$ 18,000.**

Tonoga Limited  
Sara Infurnari  
The Spouse of Sara Infurnari  
The Estate of Sara Infurnari  
Peter P. Marinilli  
The Spouse of Peter P. Marinilli  
Amelia Marinilli  
The Spouse of Amelia Marinilli  
Lillian Jane Sacobie  
The Spouse of Lillian Jane Sacobie  
Gaspere Cino  
The Spouse of Gaspere Cino  
Herbert Dale King  
The Spouse of Herbert Dale King

**EXECUTION CREDITORS**

The Royal Bank of Canada

**TENANTS**

**OFFER OF COMPENSATION**

Barbara Atkins	NIL
Michael Benzien	NIL
Louise Benzien	NIL
Claudine Sheppard	NIL

**69 FULLERTON AVENUE**

**OFFER OF COMPENSATION**

<b>FORMER REGISTERED OWNERS</b>	<b>\$ 4,000.</b>
---------------------------------	------------------

David Bradley in Trust  
The Spouse of David Bradley, in Trust  
Charles R. Burns  
The Spouse of Charles R. Burns  
Elizabeth Burns  
The Spouse of Elizabeth Burns  
Sheila Hickford  
The Spouse of Sheila Hickford

**MORTGAGEES**

Weymouth Securities Limited  
John Campbell  
Violet Campbell  
Eric Lomax

**EXECUTION CREDITORS**

Hamilton Municipal Employees' Credit  
Union Ltd.  
Eric Lomax  
The Royal Bank of Canada

William Smith  
Betsy Smith

21. In order for the proposed purchaser, Hamilton East Kiwanis Non-Profit Homes Inc. to purchase and renovate 65 and 69 Fullerton Avenue in accordance with the short time frame imposed by Central Mortgage and Housing Corporation, it is imperative that an earlier possession date than three months be obtained.

It is therefore recommended:-

"That the City Solicitor be authorized and directed to apply to a Judge pursuant to Section 41 (3) of The Expropriations Act for an Order that the City be entitled to possession of both properties at an earlier date than the date for possession specified in the City's Notice of Possession in order to permit the two properties to be included during the summer construction period with the adjacent four properties being sold by the City to the Kiwanis for renovation."

22. That approval be given for settlement of the expropriation of the property at 65 Fullerton Avenue from Tonoga Limited in the total amount of \$19,000. The agreement was executed on 1985 May 31 and is scheduled to close on 1985 July 31. The cost of this acquisition is to be charged to account 0280-02. It is shown as Part 6 on Plan 62R-7218.
23. That the sale of 65 and 69 Fullerton Avenue executed on 1985 June 4 by the purchaser, Hamilton East Kiwanis Non-Profit Homes Inc. and scheduled for closing on or before 1985 August 23, subject to the City of Hamilton obtaining possession of said properties prior to closing be approved and completed.

The purchase price is \$24,000. and a deposit cheque in the amount of \$1,000. is being held by the City Treasurer pending Council approval.

The properties are composed of two (2) attached dwellings being described as parts of Lots 20 and 21 on Registered Plan 367, said properties having a total frontage on the eastern limit of Fullerton Avenue of approximately 33.5 feet by an average depth of 58.5 feet together with all structures erected thereon bearing the municipal address of 65 and 69 Fullerton Avenue and more particularly described as Parts 4 and 6 on Plan 62R-7218 together with a right of way over Parts 7, 8, and 9, Plan 62R-7218.

This transaction is conditional upon the following restrictions, agreements and covenants, which terms are attached hereto as APPENDIX "I".

24. That the sale of 67, 71, 73 and 75 Fullerton Avenue executed on 1985 June 4 by the Purchaser, Hamilton East Kiwanis Non-Profit Homes Inc. and scheduled for closing on or before 1985 August 23 be approved and completed.

The purchase price is \$48,000. and a deposit cheque in the amount of \$2,000. is being held by the City Treasurer pending Council approval.

The properties are composed of four (4) attached dwellings being described as



parts of Lots 20 and 21 on Registered Plan 367, said properties having a total frontage on the eastern limit of Fullerton Avenue of approximately 66.580 feet by an average depth of 58.5 feet together with all structures erected thereon bearing the municipal addresses of 67, 71, 73 and 75 Fullerton Avenue and more particularly described as Parts 1-3 and 5, 10 and 11 on Plan 62R-7218 being subject to a right of way over parts 10 and 11 and together with a right of way over 7, 8 and 9, Plan 62R-7218.

This transaction is conditional upon the following restrictions, agreements and covenants, attached hereto as APPENDIX "J".

25. That approval be given for settlement of the expropriation of the property at 410 Sherman Avenue North measuring 19.5 feet (5.94 m) more or less along the easterly limit of Sherman Avenue North by a depth of 80 feet (24.3 m) more or less from Peter and Audrey Bojin in the total amount of \$11,500. The agreement was executed on 1985 June 03 and is scheduled to close on 1985 August 29. The cost of this acquisition is to be charged to account 0280-35 (Reserve for Alpha Enclave). This property forms part of the Alpha Enclave and is being purchased to clear residential enclaves in industrial areas.
26. That the leasing of 141 Belview to Madeline Piper commencing 1985 June 01 at a one time rental of \$100 and commencing 1985 July 01 the monthly rental being \$275 including realty taxes, be approved.

That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

27. (A) That approval be given for the leasing of a portion of 537 Wellington Street North measuring 10 feet by 90 feet with 20.5 feet at the rear, more or less, to Joyce Tuck at a rental of \$10 per month plus taxes, commencing 1985 July 01. The subject property is to be used for parking and landscaping purposes. A cash deposit in the sum of \$10 for the first month's rent is being held by the Treasurer pending approval. This amount is to be credited to account 0217.
- (B) That the Mayor and City Clerk be authorized to execute the necessary documents to finalize this transaction.
28. That the City pay \$2,027.75 to Kohler Drug Store Limited, in accordance with the District Court's Judgment of 1985 April 11 and the Certificate of Assessment of Costs dated 1985 May 22 and that the Finance Committee be requested to recommend the method of financing this amount.
29. (A) That the Corporation of the City of Hamilton accept the sum of \$46,557.20 as cash payment in lieu of 5% dedication in connection with "Sherman Oaks - Phase 2, Stage 1".

**Explanatory Note:** - These lands are located west of Upper Sherman Avenue and north of Limeridge Road East in the Thorner Neighbourhood. Hamilton.

- (B) That the Corporation of the City of Hamilton accept the sum of \$16,835.70 as cash payment in lieu of 5% dedication in connection with "Templemead No. 2 Survey - Phase 3", final plan of subdivision.

**Explanatory Note:** - These lands are located west of Upper Ottawa Street and north of Rymal Road East in the Templemead Neighbourhood. Hamilton.

30. That leave be granted to introduce the following Bills:-

- |               |  |
|---------------|--|
| (a) Bill C-60 | By-law to Adopt a Redevelopment Plan for the Downtown Core Area of the City of Hamilton.                   |
| (b) Bill C-61 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 52 Catharine Street North. |
| (c) Bill C-62 | By-law to Authorize the Establishment of "Hamilton Community Heritage Fund".                               |

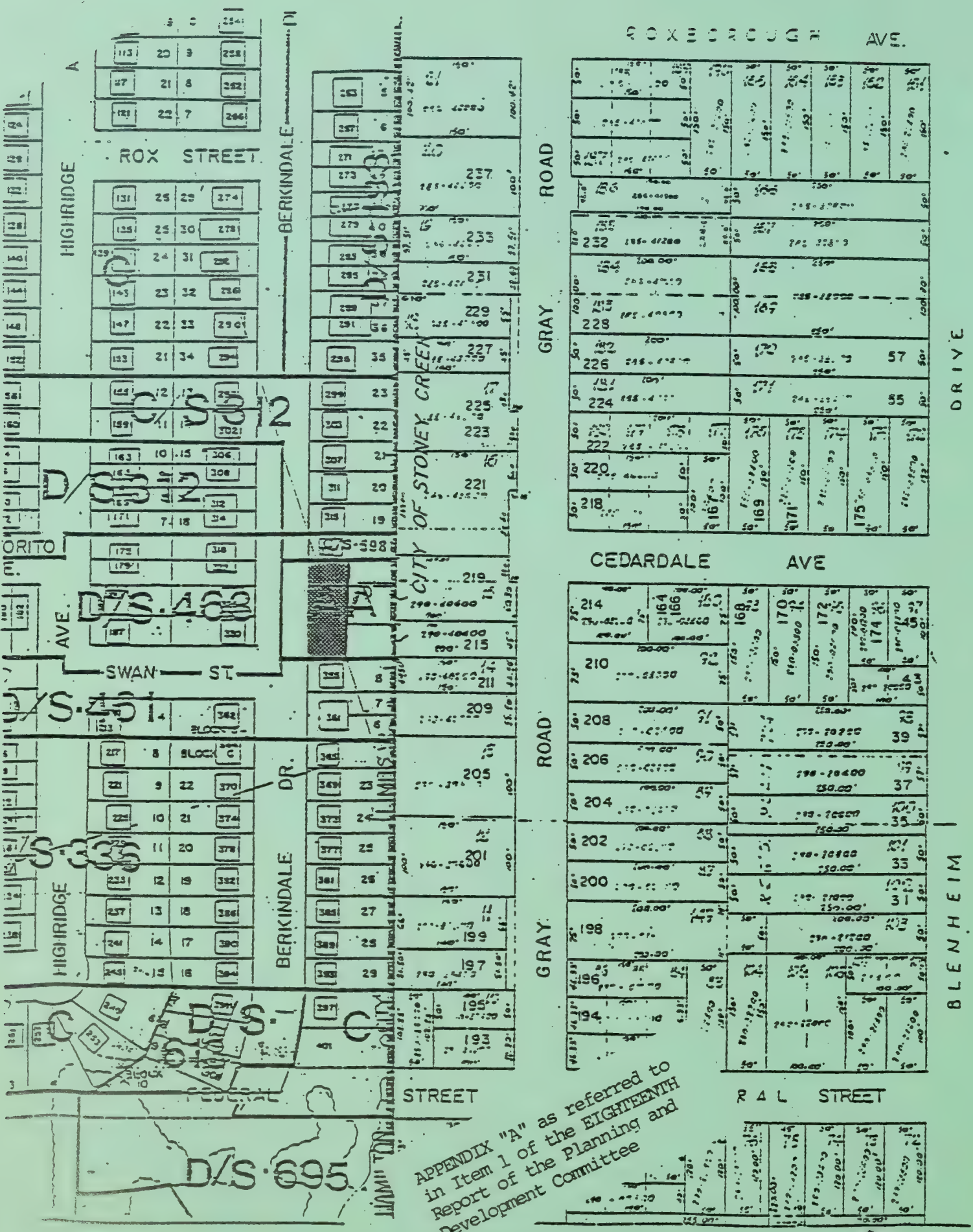
Respectfully submitted,

**Alderman S. Collins, Vice-Chairman  
Planning and Development Committee**

John D. Thompson, Secretary  
Planning and Development Committee  
JDT:mjw

1985 June 12





SITE OF THE APPLICATION



/S.464

DE-2/S-166

C/S-346

E-2/S-166

CASTLE ST.

LIMERIDGE ROAD EAST

T-10/  
367

SOLOMON

CRESCENT

D/S-592

SOLOMON

CRESCENT

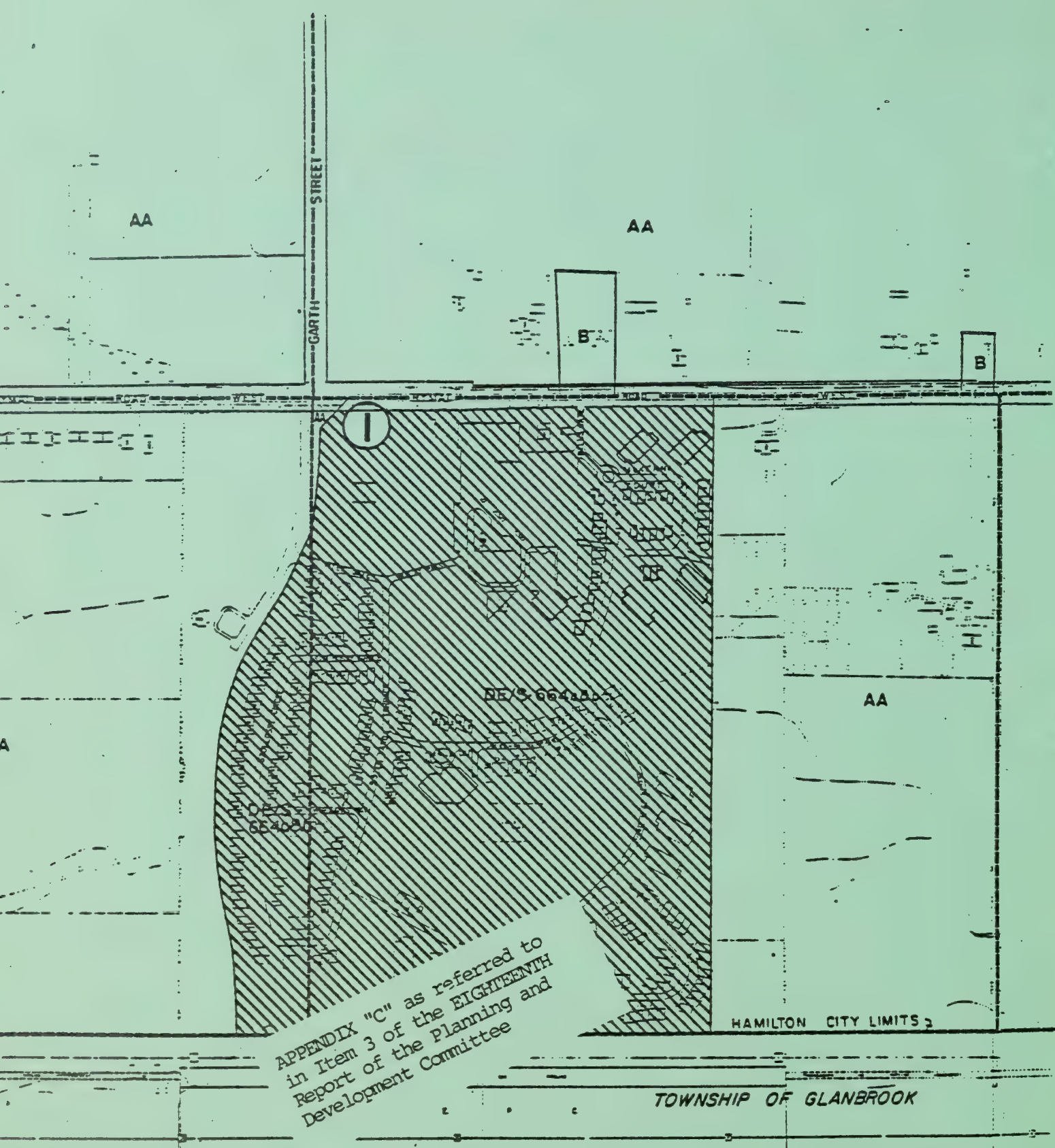
AA

APPENDIX "B" as referred to  
in Item 2 of the EIGHTEENTH  
Report of the Planning  
and Development Committee



SITE OF THE APPLICATION

2A85-41



APPENDIX "C" as referred to  
in Item 3 of the EIGHTEENTH  
Report of the Planning and  
Development Committee

LEGEND:



SITE OF THE APPLICATION

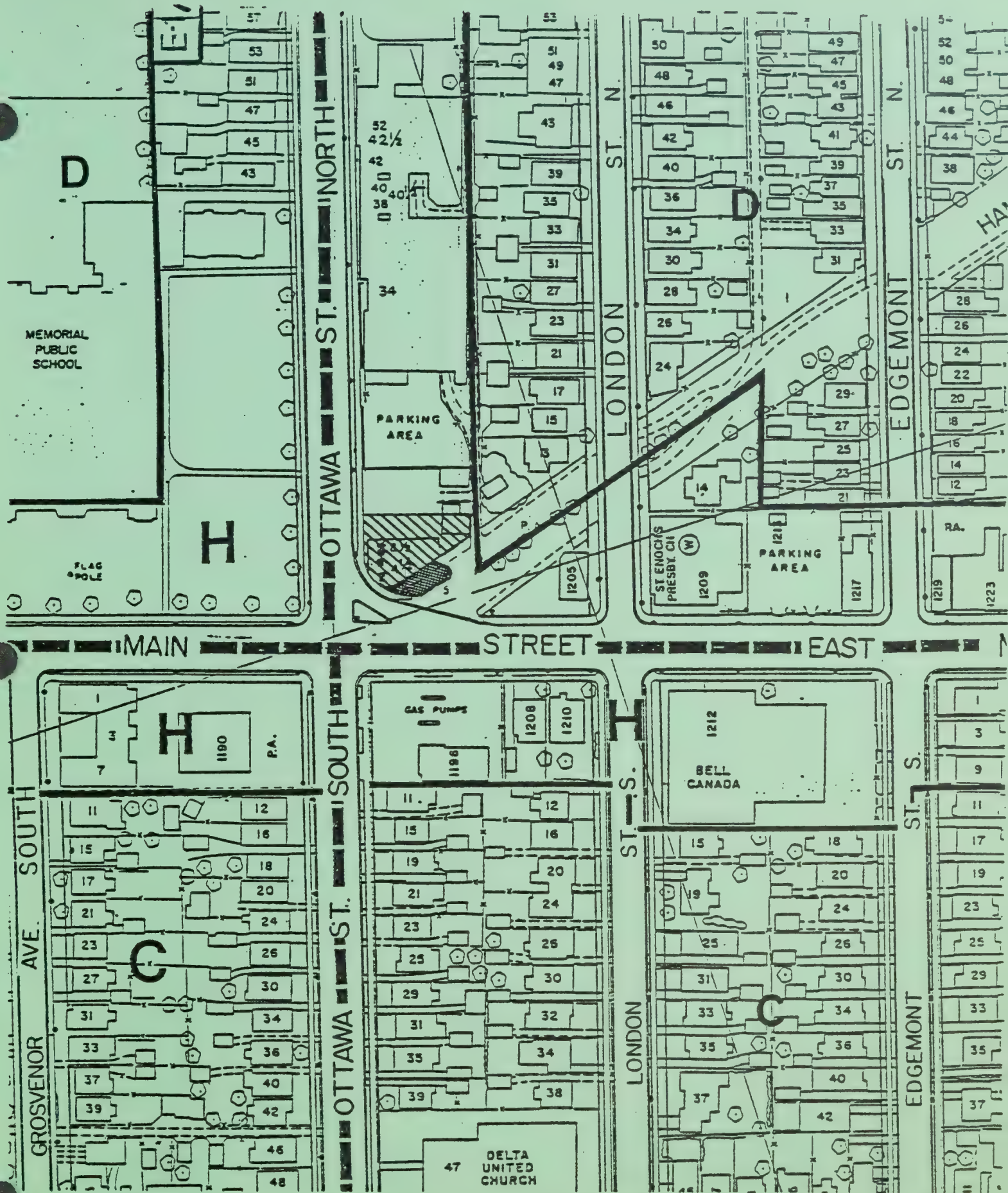


LOCATION OF PROPOSED SIGN



"C"

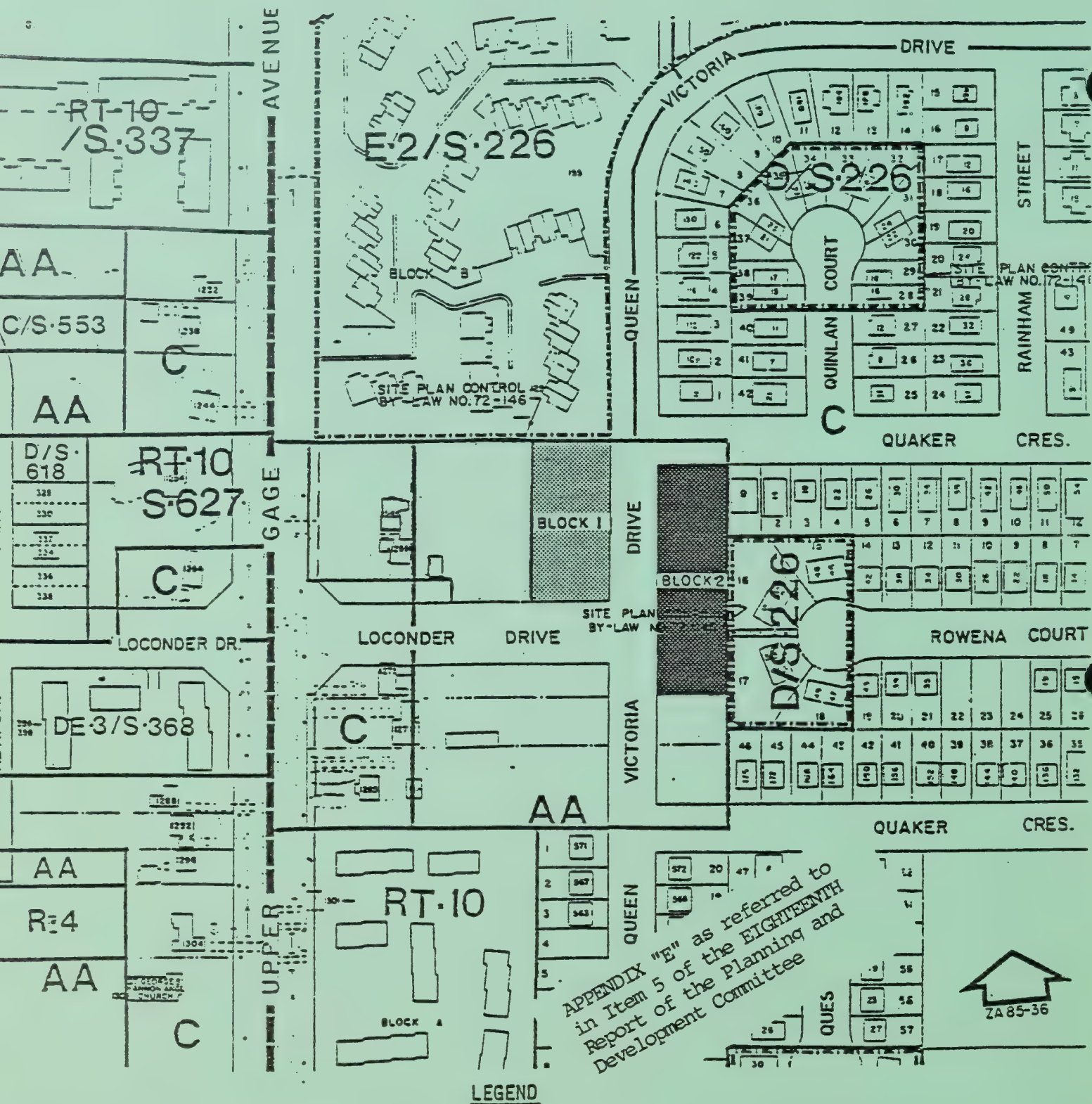




APPENDIX "D" as referred to in Item 4 of the EIGHTEENTH Report of the Planning and Development Committee











Lands for which the following Zoning changes are proposed:

- BLOCK 1** From "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District
- BLOCK 2** From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District






# LAND USE

## RESIDENTIAL

-  single & double
-  attached housing
-  low density apts.
-  medium density apts.

## COMMERCIAL

-  CIVIC & INSTITUTIONAL
-  PARK & RECREATIONAL
-  OPEN SPACE
-  UTILITIES

PROPOSED CHANGE  
FROM ROADWAY  
LINK TO  
PEDESTRIAN  
LINK

STRAWBERRY  
HILLS  
AREA

SECOND ACCESS ONTO  
LAKE AVENUE

APPENDIX "F" as referred to  
in Item 9 of the EIGHTEENTH  
Report of the Planning and  
Development Committee

MUNICIPALITY OF HAMILTON-WENTWORTH

Approvals  
Planning Bd. 4/28/78 Council JUL 30/78  
Revisions

MARCH 1972	JULY 11 1978
AUGUST 1972	APRIL 30 1978
MAY 8 1973	JULY 3 1978
JULY 10 1973	SEPT 1978
DEC 11 1973	JULY 13 1978
APRIL 1978	

CITY OF HAMILTON  
PLANNING DEPARTMENT

RIVERDALE EAST  
APPROVED PLAN



SCALE = 1" = 100'

## INFORMATION REPORT - Operation 20,000 Dwelling Units

### A. PROBLEM

The City of Montreal established a programme of affordable housing (Operation 20,000 Dwelling Units), in September 1979, in response to the growing problem of suburbanization. Many people were moving to the suburbs in search of more affordable housing and away from the inner city. This outmigration of predominantly young couples (between the ages of 24 - 44) created a socio economic imbalance in the city centre. The net result was a larger proportion of elderly and low income people in downtown Montreal, and the under-utilization of many cultural, recreational and public transportation facilities and commercial establishments.

### B. OBJECTIVE AND RESULTS

The basic objective of Montreal's housing programme is to induce private developers and non-profit/co-operative associations to build 20,000 units by 1987, using properties from the City's large land bank. These housing units would be a viable alternative to housing in the suburbs, by providing a variety of housing types and densities at comparable prices. The target market is the young middle class families.

As of February 10, 1985, there was: a potential capacity for 14,925 dwelling units, 10,963 construction permits have been issued and 8,750 units have been completed. The City has been fortunate enough to attract housing that is both innovative in design and has a high degree of building quality. This has ultimately improved the residential environment within the city.

The programme has effectively reduced the migration to the suburbs. Forty per cent of the homeowners have come from the suburbs

### C. THE PROGRAMME

The housing programme is divided into 4 components; land inventory, site development, land prices and subsidies. Figure #1 illustrates how the program is implemented.

#### 1) LAND INVENTORY

The key element in the programme has been Montreal's land bank which has been built up over a period of 20 - 30 years. The City acquired land through defaults on tax payments, properties unsuitable for private development (such as lands with non-conforming uses) and properties which were no longer of use to the owner (i.e. old CNR rail yards).

APPENDIX "G" as referred to  
in Item 12 of the EIGHTEENTH  
Report of the Planning and  
Development Committee



The inventory is further supplemented through land purchases. The Montreal Planning Department identifies potential parcels of land for purchase (either privately or government owned) which may be conducive for residential development. The criteria for site selection includes: 1) social, physical and economic environment; and 2) the proximity to services and facilities. Each year, the City sets aside money in the capital budget for these purchases. Purchase of land must be approved by the Executive Committee\* and Council.

#### ii) SITE DEVELOPMENT

Once the site has been chosen for development and the housing specifications (density, housing types) established by the Planning Department, the Economic Development Department assumes the responsibility for calling on developers and/or non-profit and co-operative associations to submit proposals for site development.

The Selection Committee made up of representatives from several City Departments, selects the proposal which best meets certain specifications including such factors as housing type, densities, architectural quality, and integration with surrounding area, amongst others.

The majority of sites can accommodate proposals ranging from 20 to 150 units. The City, however, does have sites which can only support a small number of units (2-4) and, in this case, citizens may purchase the lot and build their own home.

#### iii) LAND PRICES

Before the developer can purchase the land, the Planning Department submits both a financial statement, economic impact study for the project, and the proposal to the Executive Committee and Council for endorsement. The land is sold to the developer at approximately 40% of the market value.

---

\*The Executive Committee is comprised of 6 Councillors appointed from Council and includes the Mayor. The Committee's powers include: the annual budget, all borrowing and spending, all by-laws, report on taxes to be levied and permits required, exchange of lands belonging to the City. It is the only Standing Committee of Council (see APPENDIX 1)

Developer pays for the land through interest free instalments in the following manner:

- o 10% paid upon signing contract
- o 10% paid before construction
- o 20% upon completion
- o 50% paid within 2 years following start of construction or when the lot and building are sold, whichever comes first.

#### iv) SUBSIDIES

The first purchaser of a residential building and lot (no units are rented by the developer) is entitled to \$1,000 subsidy per dwelling unit, from the City of Montreal. However, if the building has not been sold within 2 years of completion, the developer is also eligible for subsidies for the unsold units.

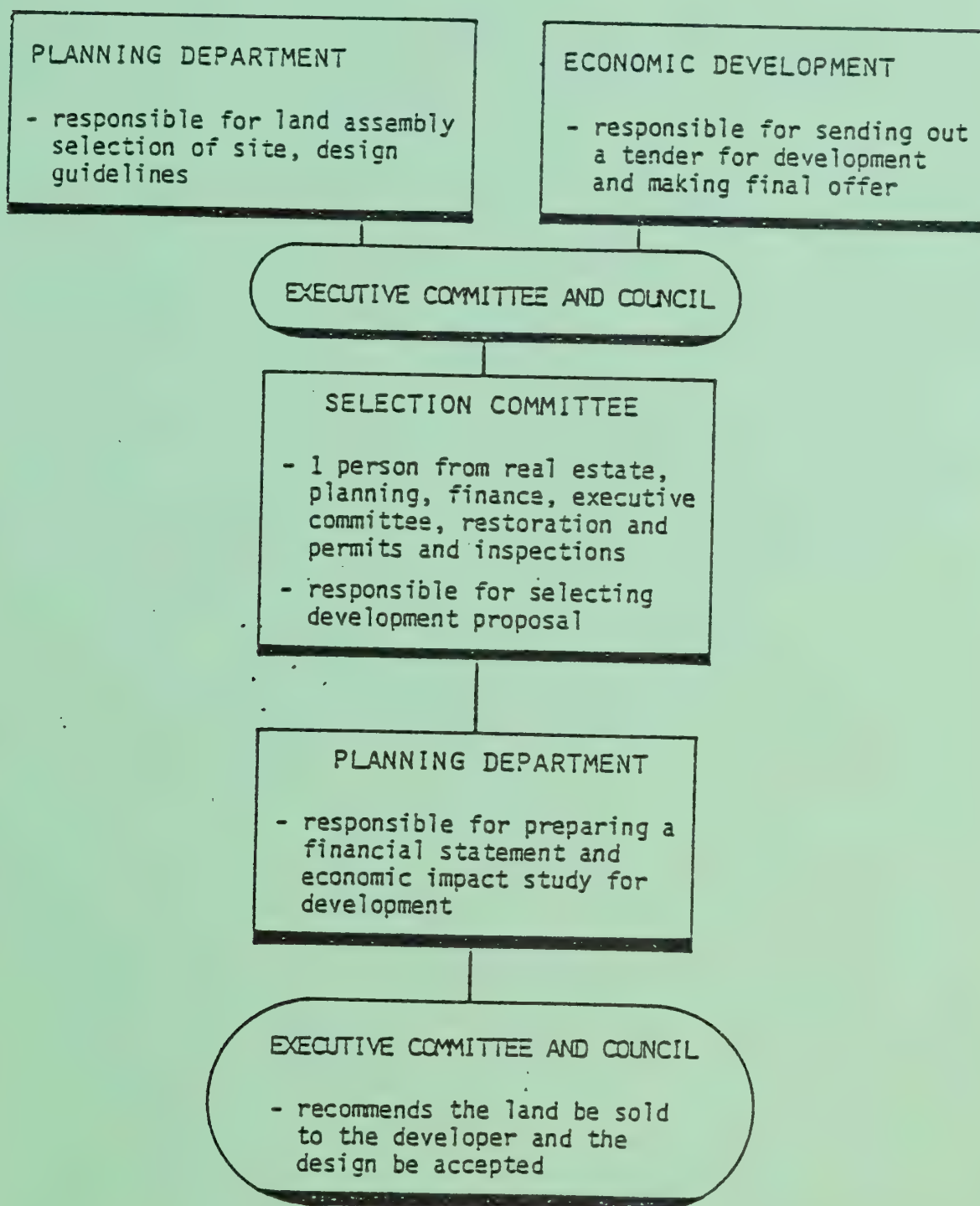
#### D. CONCLUSION

As a result of municipal intervention in the housing market (the establishment of Operation 20,000 dwelling units), Montreal has been very successful in attracting people back into the inner city. Montreal's programme has been made very attractive to developers and property owners, by offering land at lower than market value and providing subsidies for each unit. The programme has created a noticeable improvement in the quality and design of housing in Montreal. It has been developed to fit Montreal's specific housing problems, however, certain elements of the Montreal programme could be of benefit to Hamilton.

Although Hamilton does not suffer from suburbanization to the same extent as Montreal, the City should endeavour to retain a strong healthy resident population in the Central Policy Area. A similar programme for Hamilton could induce developers to build a variety of housing at affordable prices to suit all age groups, life-styles and needs. Hamilton's experience in this area has been limited to the Ryerson School site. The Ryerson project is a recent example of re-utilizing a school site for residential purposes.

Accordingly, a further study is required to investigate the feasibility of implementing a similar housing programme in Hamilton.

JH/pb.

IMPLEMENTING HOUSING PROGRAM

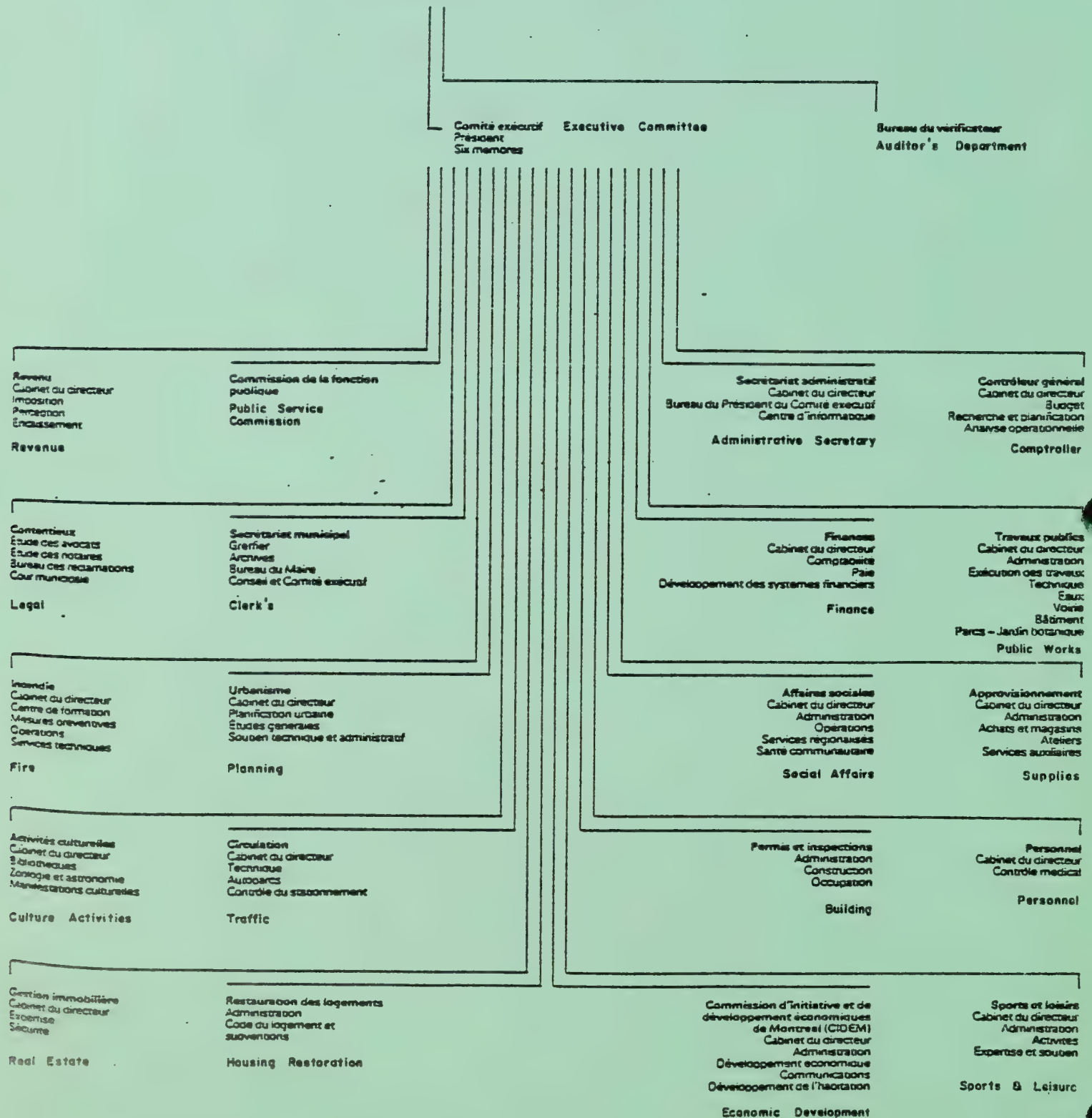


La structure administrative  
de la Ville de Montréal en 1983  
Administrative Structure  
City Of Montreal - 1983

APPENDIX ' I

Conseil municipal  
Maire  
57 conseillers  
(57 circonscriptions électorales)

Council  
Mayor  
57 Councillors  
(1 For Each Ward)



DOWNTOWN PROMENADE

BUSINESS IMPROVEMENT AREA (B.I.A.)

Resignations

Mr. Nat Davidson  
Hamilton Convention Centre  
115 King Street West

Mr. Allan Stevenson  
Heaton and Hassal,  
105 Main Street East

Appointments

Mr. Daniel Marissen  
Durward Jones Barkwell and Company  
105 Main Street East

APPENDIX "H" as referred to  
in Item 17 of the EIGHTEENTH  
Report of the Planning and  
Development Committee

SCHEDULE "A"

Hamilton East Kiwanis Non-Profit Homes Inc.

65 and 69 Fullerton Avenue  
Hamilton, Ontario

1. It is understood and agreed that the closing of this transaction is subject to the Vendor obtaining approval of the Ministry of Municipal Affairs and Housing under The Municipal Affairs Act, and obtaining vacant possession of the premises prior to closing. ✓
2. This Offer is conditional until closing for completion of the following conditions: B

(a) approval by ~~xxx~~ Canada Mortgage and Housing Corporation of the inclusion of 65 and 69 Fullerton Avenue in the social housing program; ~~and~~

(b) the arranging of suitable financing by the Purchaser.

(c) that the Purchaser at its own expense obtain a legal separation from the Land Division Committee for the properties known as 65 and 67 Fullerton Avenue; 69 and 71 Fullerton Avenue. If the decision by the Land Division Committee for the aforementioned severances is not in place by August 23rd, 1985, the Vendor will extend the closing date until said decision is received, however, being no later than December 1st, 1985.

B (d) see Page 2 of this Schedule. ✓

Failing the satisfaction of these conditions, this Offer shall be null and void and the deposit shall be returned to the Purchaser without interest or deduction.

These ~~conditions~~ <sup>conditions</sup> are for the benefit of the Purchaser and may be waived by the Purchaser at any time prior to closing.

3. The Vendor warrants that these properties have not been insulated with Urea Formaldehyde Foam Insulation.
4. It is understood and agreed that the Purchaser shall purchase the subject property as it exists at the present time and the Vendor makes no representation or warranty of any kind whatsoever with respect to any defects in workmanship and/or materials and any item of construction which has not been completed and the Vendor shall have no responsibility whatsoever to remedy any such defects and/or complete any unfinished work.
5. It is further understood and agreed that the Purchaser shall complete all renovations to the subject properties within six months of the closing date to make the structure into a habitable condition. The said works are to be completed in a form satisfactory to the Office of the Building Commissioner.

In the event that the Purchaser does not complete the repairs within six months of the closing date set out herein, the Purchaser covenants and agrees that the Purchaser shall sell the subject properties to the Vendor, free and clear of all charges, encumbrances, liens, claims or adverse interest whatsoever for the original purchase price without interest, less any outstanding realty taxes (including the local improvement charges), penalty and interest and further without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

Notwithstanding the above restriction pertaining to the reconveyance to the City of Hamilton, the Vendor may consider a request for a reasonable extension of the six month construction timetable, if the Purchaser, for reasons not within its control, make it necessary to make such a request.

DATED at Hamilton

this 4th day of JUNE 1985.

WITNESS

APPENDIX "I" as referred to in Item 23 of the EIGHTEENTH Report of the Planning and Development Committee

Hamilton East Kiwanis Non-Profit Homes Inc.

by:

SECRETARY



SCHEDULE "A" - Page 2

Re: 65 and 69 Fullerton Avenue, Hamilton

- 2(d) that the Purchaser obtain and enter into an Encroachment Agreement with the Vendor, or the Regional Municipality, as the case may be, for the encroachment of the premises known as 65 Fullerton Avenue onto the public roadway.

B

SCHEDULE "A"

The Hamilton East Kiwanis  
Non-Profit Homes Inc.

67,71,73 & 75 Fullerton Ave.  
Hamilton, Ontario

1. It is understood and agreed that the closing of this transaction is subject to the Vendor obtaining approval of the Ministry/Affairs and Housing under The Municipal Act. ✓ of Municipal *B*
2. This Offer is conditional until closing for completion of the Following conditions:
  - (a) Approval by the Canada Mortgage and Housing Corporation of the inclusion of 67,71,73 & 75 Fullerton Avenue in the social housing program; ~~and~~
  - (b) the arranging of suitable financing by the Purchaser.
  - B* ✓ (c) see Page 2 of this Schedule. ✓
  - (d) see Page 2 of this Schedule.Failing the satisfaction of these conditions, this Offer shall be null and void and the deposit shall be returned to the Purchaser without interest or deduction.

These conditions are for the benefit of the Purchaser and may be waived by the Purchaser at any time prior to closing.

3. The Vendor warrants that these properties have not been insulated with Urea Formaldehyde Foam Insulation.
4. It is understood and agreed that the Purchaser shall purchase the subject property as it exists at the present time and the Vendor makes no representation or warranty of any kind whatsoever with respect to any defects in workmanship and/or materials and any item of construction which has not been completed and the Vendor shall have no responsibility whatsoever to remedy any such defects and/or complete any unfinished work.
5. It is further understood and agreed that the Purchaser shall complete all renovations to the subject properties within six months of the closing date to make the structures into a habitable condition. The said works are to be completed in a form satisfactory to the Office of the Building Commissioner.

In the event that the Purchaser does not complete the repairs within six months of the closing date set out herein, the Purchaser covenants and agrees that the Purchaser shall sell the subject properties to the Vendor, free and clear of all charges, encumbrances, liens, claims or adverse interest whatsoever for the original purchase price without interest, less any outstanding realty taxes (including the local improvement charges), penalty and interest and further without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

Notwithstanding the above restriction pertaining to the reconveyance to the City of Hamilton, the Vendor may consider a request for a reasonable extension of the six month construction timetable, if the Purchaser, for reasons not within its control, make it necessary to make such a request.

Dated *AT* Hamilton *THIS* 4th ~~this~~ day of JUNE 1985

WITNESS

- APPENDIX "J" as referred to in Item 24 of the EIGHTEENTH Report of the Planning and Development Committee

*FOR:* *[Signature]* *SECRETARY*  
HAMILTON EAST KIWANIS  
NON-PROFIT  
HOMES INC.

Re: 67, 71, 73 and 75 Fullerton Avenue  
Hamilton, Ontario

- 2(c) that the Purchaser at its own expense obtain a legal severance from the Land Division Committee for the Regional Municipality of Hamilton-Wentworth for the property known as 73 Fullerton Avenue. If the decision by the Land Division Committee for this severance is not issued prior to August 23, 1985, the Vendor will extend the closing date until said decision is received, however, being no later than December 1, 1985.
- 2(d) that the Purchaser obtain and enter into an Encroachment Agreement with the Vendor, or the Regional Municipality as the case may be, for the encroachment of the premises known as 75 Fullerton Avenue onto the public roadway.











## REPORT OF THE LEGISLATION COMMITTEE

To The Corporation of The City of Hamilton.

Members of Council:

The Legislation Committee presents its **TENTH** Report for 1985 and respectfully recommends:

1. That permission be granted to Morris Smith Productions to proceed through the relevant departments to obtain permission to film a motion picture entitled "The Recruits".
2. That permission be granted to the Canusa Games for the use of the City Hall forecourt around 7:00 o'clock a.m.; use of the washroom facilities; and the use of tables and chairs for the Royal Oak 10 km Run for Canusa to take place on Sunday, 1985 June 23.
3. That permission be granted to the Hiroshima- Nagasaki Remembrance Vigil for the following requests in connection with this vigil to take place on 1985 August 6 to 9:
  - i) use of City Hall forecourt from 1985 August 6-9.
  - ii) permission to use the electrical outlets outdoors.
  - iii) permission to use the washroom facilities.
  - iv) permission to post signs and a banner.
4. That Hamilton City Council Chambers be used on 1985 July 29 for Workshop No. Two of the Hamilton Waterfront Project from approximately 7:30 to 11:00 p.m.
5. That confirmation of approval be given to the Philippine Association to fly the Philippine Flag from Wednesday, 1985 June 12 to Friday, 1985 June 14.

**NOTE:** The above recommendation was approved by the members of the Legislation Committee by a phone poll.

6. That confirmation of approval be given to the Foster Parents Association of Ontario to hang a banner from 1985 June 4th to June 9th to honour the visiting delegates to the 1985 Conference of the Association being held the week of 1985 June 2.

**NOTE:** The above recommendation was approved by the members of the Legislation Committee by a phone poll.

7.
  - a) A diamond be mounted in the Civic gold ring of Mr. Christopher Woodcroft who won the National Senior Open Wrestling Championships, 1985 May 11 to 12 in Prince Edward Island.
  - b) That a ruby be mounted in the Civic gold ring of Mr. Christopher Woodcroft who won the National Junior Open Wrestling Championships in March, 1985.

**NOTE:** Mr. Woodcroft was a member of the National Championship McMaster Wrestling Team, who tied for first place in March. Civic gold rings were approved by Council on 1985 April 3, for the eight members of the Wrestling Team.

8. That a Civic gold ring be awarded to Mr. Nick Cipriano, Coach of the McMaster University Wrestling Team who tied for first place in the Wrestling Division of the Canadian Inter-university Athletic Union Championships.
9. That **no action** be taken on the resolution received from the Association of United Ukrainian Canadians as follows:

**WHEREAS** the Reagan Star Wars program is a first-strike nuclear strategic war plan that will escalate the danger of a world nuclear holocaust many times over, because it opens the heavens to an uncontrollable nuclear arms race,

**AND WHEREAS** The Star Wars program is not a research program, but a program that will result in the development and deployment in space of Star Wars technology, just as the Manhattan project resulted in the US atomic bombing of Hiroshima and Nagasaki in 1945,

**AND WHEREAS** the Canadian government will make Canada a nuclear target and a nuclear battlefield in the event of a North-South confrontation between the United States and Soviet Union, a confrontation from which there can be no survivors, if Canada participates in Star Wars,

**AND WHEREAS** the Canadian government will destroy Canada's image as an international arbitrator and peacemaker; while profoundly undermining our national sovereignty and independence, by participating,

**THEREFORE BE IT RESOLVED** that this meeting of the Hamilton Branch of the Association of United Ukrainian Canadians, held on April 21, 1985, in the City of Hamilton, call on Prime Minister Brian Mulroney, on all parties in the House of Commons, on the Government and parties in the Provincial Legislature, and on all other levels of government, and on all Canadians concerned about the preservation of peace and of human survival, to:

- a) use all influence, all wisdom and all powers of government to tell President Reagan and the US government, that Canada will not participate in Star Wars
  - b) to cut the arms budget by 50%, and use these funds to create jobs, and prosperity through peace
  - c) to declare Canada a Nuclear Weapons Free Zone; and to likewise declare each of her provinces, territories and cities Nuclear Weapons Free Zones
  - d) to end Cruise Testing in Canada, and to cancel the Umbrella Agreement
  - e) to use all influence to ensure that the Geneva Talks will be productive and will result in agreements leading to peace, detente and disarmament
  - f) to pursue an independent foreign policy for Canada, of peace, detente and disarmament.
10. That **no action** be taken on the resolution submitted by the Regional Municipality of Haldimand-Norfolk opposing the takeover of Union Enterprises Limited by Unicorp Canada Corporation which reads as follows:



**"WHEREAS** the Ontario Energy Board has convened a public hearing to examine and report on certain matters respecting the implications for energy supply, gas rates and service of a proposed acquisition of certain shares of Union Enterprises Ltd. by Unicorp Canada Corporation; and the question of the need for or desirability of the public review and regulation of both the direct and indirect ownership and control and transfers thereof of gas distributors, transmitters and storage companies in Ontario;

**AND WHEREAS** the Council of the Regional Municipality of Haldimand-Norfolk, on behalf of its ratepayers, together with the Councils of the County of Oxford and the City of Chatham and others, on behalf of their respective ratepayers, have obtained intervenor status relative to the hearing;

**AND WHEREAS** a brief is to be (or was) submitted to the Ontario Energy Board by the Regional Solicitor for the Regional Municipality of Haldimand-Norfolk;

**AND WHEREAS** the Council of the Corporation of the City of Hamilton, deems that its ratepayers have an interest in common with the ratepayers of the Regional Municipality of Haldimand-Norfolk, the County of Oxford and the City of Chatham, in these proceedings;

**NOW THEREFORE BE IT RESOLVED THAT:**

The Council of the Corporation of the City of Hamilton endorses the brief submitted by the Regional Solicitor for the Regional Municipality of Haldimand-Norfolk, and a copy of this Resolution be forwarded to the Ontario Energy Board for subsequent transmittal to the appropriate panel thereof."

11. a) That approval be granted to Mr. William N. Robinson to operate a Tour Guide Service out of the loading bay of the east side of Summers Lane from 1985 June to August.
- b) That a "Reserved Parking" sign and sign post be installed and removed at the expense of the applicant, payable in advance, which is estimated to be approximately \$600.
12. a) That approval be given for the purchase of the following furnishings and equipment to service the two additional positions of Receptionist and Secretary which were approved by City Council at its meeting held Tuesday, 1985 May 28.

2 Desks .....	\$1,130.00
2 Chairs .....	240.00
2 Typewriters (Olivetti ET111) .....	2,100.00
2 Sanyo Transcribers (TRC 9100T) .....	910.00
2 Four-drawer Lateral Files .....	850.00
Telephones .....	1,990.00
Electrical .....	1,000.00
<b>TOTAL.....</b>	<b><u>\$8,220.00</u></b>

- b) That the Finance Committee be requested to recommend the method of financing.



13. a) For the information of the members of City Council, the Legislation Committee has appointed a Film Advisory Sub-Committee comprised of the following members:

Alderman V. J. Agro  
Alderman I. Stout  
Mr. R. Whynott  
Mr. L. Russell  
Mr. J. Skarratt

The Film Advisory Sub-Committee will study all aspects of the film industry, feature movies, television productions and commercial productions and particularly the methods and procedures that would make Hamilton an attractive production locale and advise the Legislation Committee on these matters. This Sub-Committee will also catalogue all facilities and features in the Municipality that would be available to Film Production Companies.

- b) That Mr. E. A. Simpson, City Clerk be appointed Film Liaison Officer for the City of Hamilton.
14. a) That the Provincial Legislature be requested to amend the Municipal Act to give Municipalities the authority to licence, regulate, govern, control, classify and inspect shops where accessories such as stereos and trailer hitches are installed on automobiles.
- b) That this request be forwarded to the Association of Municipalities of Ontario and local M.L.A.s.
15. That the City Solicitor be authorized and directed to contact the new Provincial authorities in the Ministry of Municipal Affairs and Housing to investigate the availability of Municipal Political Contributions Tax Credit similar to the formula used by the Federal and Provincial Governments.
16. That the following tax adjustments as recommended by the Tax Appeal Review Sub-Committee at its meeting held 1985 June 13 be approved:

APPEAL	AMOUNT			
	(1)	(2)	(3)	(4)
Schedule "A"			Tax	
Compassionate	Prior	Year-to-date	Review	Total
	Year	1985	Committee	Year-to-date
	1984	1985	June 13, 1985	1985
	<u>\$ 25,659.46</u>	<u>\$ 5,300.00</u>	<u>\$ 4,465.00</u>	<u>\$ 9,765.00</u>
Schedule "B"	(1)	(2)	(3)	(4)
Business	Prior	Year-to-date	Tax	Total
	Year	1985	Review	Year-to-date
	1984	1985	Committee	1985
	<u>\$1,356,461.68</u>	<u>\$ 188,500.90</u>	<u>\$1,045,873.06</u>	<u>\$1,234,373.96</u>

Schedule "C" Realty	(1) Prior Year 1984 <u>\$ 304,045.91</u>	(2) Year-to-date 1985 <u>\$ 140,969.93</u>	(3) Tax Review Committee June 13, 1985 <u>\$ 50,292.23</u>	(4) Total Year-to-date 1985 <u>\$ 191,262.16</u>
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Respectfully submitted,

**ALDERMAN V. J. AGRO, CHAIRMAN**

S. K. Reeder, Secretary  
1985 June 21









## REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its **SIXTH** Report for 1985 and respectfully recommends:

1. Approval of the classification of the following positions for the Victor K. Copps Trade Centre Arena:
  - (a) Director of Event Planning/Operations - Salary Schedule 118: \$35,655.88; \$37,257.48; \$38,934.48; \$40,687.92; \$42,517.28 per annum.
  - (b) Plant and Building Manager - Salary Schedule 119: \$38,811.24; \$40,556.88; \$42,384.16; \$44,291.52; \$46,286.24 per annum.
  - (c) Security Supervisor - Salary Schedule 114: \$26,024.96; \$27,198.08; \$28,421.64; \$29,700.84; \$31,036.20 per annum.
  - (d) Operations Engineer - Salary Schedule 115: \$27,979.64; \$29,241.16; \$30,556.76; \$31,931.64; \$33,368.92 per annum.
  - (e) These positions to be posted and filled.
2. Approval of the classification of the following positions in the City Clerk's Department:
  - (a) Secretary to the Aldermen - Salary Schedule 111: \$21,188.96; \$21,912.28; \$22,800.44; \$23,811.32; \$24,977.16 per annum.
  - (b) Receptionist - Aldermen's Office - Salary Schedule 107: \$15,711.80; \$16,371.16; \$17,060.16; \$17,779.84, \$18,537.48 per annum.
  - (c) These positions to be posted and filled.
3. Approval of the classification of the following position in the Department of Public Works:
  - (a) Secretary to the Director of Parks (Stenographer I) - Salary Schedule E-5: \$359.11; \$373.02; \$389.71; \$403.77 per week.
  - (b) Mrs. P. Ramirez, presently paid \$345.14 per week, the maximum of Salary Schedule E-3, to be paid the first step of Salary Schedule E-5, \$359.11 per week, effective June 3, 1985.



4. Approval of a change in title and reclassification in the Department of Culture and Recreation:
  - (a) The position of Program Organizer (Senior Citizens) be retitled to Supervisor - Main/Hess Seniors' Centre.
  - (b) This position to be classified in Salary Schedule 114: \$26,024.96; \$27,198.08; \$28,421.64; \$29,700.84; \$31,036.20 per annum.
  - (c) Ms. Carolyn Kovacs, presently paid \$483.95 per week, the maximum step of Salary Schedule A-7, to be paid \$26,024.96 per annum (first step of Salary Schedule 114), effective May 6, 1985.
  
5. Approval of the following recommendation of the Building Commissioner to the Planning and Development Committee:
 

(a) Re-instate reduction package 03 of the Building Department's 1985 budget submission (1 Inspector .25 Stenographer) -	\$25,600.00
(b) Re-instate reduction package .04 of the Building Department's 1985 budget submission (1 Inspector .25 Stenographer) -	\$33,600.00
(c) Establish and fill 2 additional House Plan Examiners and Draftsman positions -	\$27,100.00
(d) Establish and fill 2 Stenographer III positions -	\$19,900.00

**Note:** For the information of the Members of City Council the Planning and Development Committee approved the Building Commissioner's report at its meeting held June 12, 1985.
  
6. Approval of rates as set out in the Agreement between The Hand Association of Sewer, Watermain & Road Contractors and the Labourers' International Union of North America, Local 837, Hamilton, attached hereto as Exhibit "A".

7. (a) That the overtime rates paid to City Garage drivers be increased, effective June 26, 1985, as follows:

<u>Description</u>	<u>Present Rate</u>	<u>Proposed Rate</u>
<u>Weekdays - Present:</u>		
- after 6:00 p.m. and up to 8:00 p.m.	\$10.00	
- after 8:00 p.m.	\$30.00	
<u>Saturdays, Sundays and Holidays - Present:</u>		
- up to 4 hours	\$25.00	
- over 4 hours	\$50.00	
<u>Weekdays - Proposed:</u>		
- up to 2 hours		\$ 15.00
- up to 4 hours		\$ 40.00
- up to 6 hours		\$ 60.00
- over 6 hours		\$ 80.00
<u>Saturdays, Sundays and Holidays - Proposed:</u>		
- up to 2 hours		\$ 25.00
- up to 4 hours		\$ 50.00
- up to 6 hours		\$ 75.00
- over 6 hours		\$100.00

- (b) That the clothing allowance paid to the City Garage drivers be increased from \$200 annually to \$300 annually.
- (c) That the rates established in items (a) and (b) above be adjusted by the contractual increase percentage granted from time to time on the basic hourly rate for drivers.
- (d) That the Finance Committee be requested to recommend the method of financing the net additional amount of \$3,900 City's cost required for the balance of 1985.
- (e) That the Regional Municipality of Hamilton-Wentworth be requested to provide an additional \$3,600 within their budget allowance for their driver's services (a City employee whose costs are charged back to the Region).

8. Approval of the awarding of the following contract:

BRADSHAW STRADWICK INC., Welland, Ontario.

Supply and Delivery of Fatigue Uniforms for the Fire Department,  
in accordance with specifications issued by the Director of Purchasing  
and Vendor's Tender for the sum of.....\$25,748.00

**Note:** Lowest of 4 acceptable Tenders.

9. That the Mayor and City Clerk be authorized to execute an Agreement between The Corporation of the City of Hamilton and the Town of Dundas whereby the City will provide, through the Hamilton Fire Department Communication Centre, emergency communications for the Town of Dundas.
10. That the following salary and benefit adjustments for Non-Union personnel be approved:
- (a) Amend the Salary Schedule of Non-Union employees (excluding Department Heads and Deputies) by 4.25%, effective January 1, 1985.
  - (b) Benefit amendments for Non-Union employees, including Department Heads and Deputies:
    - (i) Amend the Vision Care Plan covering employees and dependents from \$50.00 to \$65.00 every two (2) years on completion of their 60th working day of service.
    - (ii) Provide for the application of the current O.D.A. Schedule on completion of their 60th working day of service.
    - (iii) Amend the Supper Allowance from \$4.50 to \$5.00.
    - (iv) Amend the automobile travel allowance for use of personal vehicles from \$.19 per kilometer to \$.20 per kilometer.

**Note:** Items (i), (ii) and (iii) to be effective upon approval of City Council and the Unemployment Insurance Rebate received by each Department Head, Deputy and Non-Union employee, where applicable, be allocated towards the annual cost of benefit plans.

Item (iv) to become effective January 1, 1985.



11. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation to June 10, 1985, as set out on the list appended hereto and shown as Exhibit "B".

Respectfully submitted

**Alderman P. Cowell, Chairman  
Personnel Committee**

K. E. Avery, Acting Secretary,  
1985 June 19.

## EXHIBIT "A"

Referred to in Section 6 of the  
SIXTH Report of the Personnel  
Committee.

The Hand Association of Sewer, Watermain & Road Contractors and the  
Labourer's International Union of North America, Local 837, Hamilton

Duration of Agreement - January 1, 1985 to December 31, 1986

Schedule "A"

The rates of wages and classifications for employees engaged in sewer and watermain, road building, paving and parking lot construction and all work incidental thereto, covered by this Agreement during the regular day shift shall be the following:

<u>Classification</u>	<u>Jan. 1/85</u>	<u>Jan. 1/86</u>
Labourers, including Wire Mesh and Pump Man 3" Disc & Under	\$13.15	\$13.65
Skilled Labourers including but limited to Concrete Screedmen, Puddlers and Floatmen Etc.	\$13.30	\$13.80
Concrete Mixer Under 1 Cubic Yard	\$13.30	\$13.80
Dinky Motor Man, Scootcrete Driver	\$13.30	\$13.80
Rammax, Tramper O.P. remote controlled or otherwise	\$13.30	\$13.80
Crawler Type Drillman, Powderman	\$14.65	\$15.15
Rodman Reinforcing Installers	\$13.65	\$14.15
Asphalt Rakers (Also to receive one (1) pair of boots free of charge)	\$13.90	\$14.65
Catch Basin Constructors	\$13.90	\$14.40
Pipelayers (All Types & Materials)	\$13.90	\$14.65
Form Setters	\$13.90	\$14.65
Man Hole Valve Chamber Constructors	\$14.00	\$14.75
Concrete Finishers	\$13.75	\$14.25
Curb Setters, Gutter, Brick Setters, Interlock and Stone Paving	\$13.65	\$14.15
Working Foreman	\$14.90	\$15.40

The Hand Association of Sewer, Watermain & Road Contractors and the  
Labourer's International Union of North America, Local 837, Hamilton

Watchman Six Shifts Per Week,	\$470.00	\$470.00
Ten (10) hours per shift	per wk.	per wk.

Flagman	\$10.20	\$10.20
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Welfare Fund: \$1.50 (One Dollar and Fifty Cents) per hour over the above rates effective  
January 1, 1985

Training Fund: \$.80 (Eighty Cents) per hour over the above rates

Pension Fund: \$.50 (Fifty Cents) per hour over the above rates



The Hand Association of Sewer, Watermain & Road Contractors and the  
Labourer's International Union of North America, Local 837, Hamilton

Schedule "B"

The rates of wages and classification for employees engaged in Bridge Building, including pedestrian bridges, underpasses and overpasses. Retaining walls and abutments associated with bridges, underpasses and overpasses. - All structures in connection with dams, docks, wharves and breakwaters. - Precast rip-rap installations and all slopes retaining work directly associated with bridge construction. - Structural work on reservoirs. - Pile driving caisson and underpinning. - Structures on transit systems (Heavy rail or light rail) and on expressways. Structures involved in river channelization and flood control projects, except structural work traditionally carried out by the roads or sewers industry. - Box culverts. - Field precast manufacturing operations. - Erection, installation and finishing of precast concrete products directly associated with heavy Engineering construction, covered by this Agreement during the regular day shift work hours, shall be the following:

<u>Classification</u>	<u>Jan. 1/85</u>	<u>Jan. 1/86</u>
Labourers, including Carpenters Helpers, Form Strippers (All Types) including the complete stripping of materials to be reused (Wood or otherwise).	\$13.45	\$13.95
Scaffold Erectors (All Types), and Dismantlers	\$13.45	\$13.95
Fence Erectors (Chain Link, Guard Rail Etc.)	\$13.45	\$13.95
Pumpman 3" Disc. and Under	\$13.45	\$13.95
Rammax - Trumper O.P. Remote Controlled or otherwise	\$13.60	\$14.10
Skilled Labourers, Including but not limited to Concrete Smoothers, Patchers, Puddlers and Floatmen	\$13.60	\$14.10
Operators of all machine driven tools by gas, electricity and air in open cut work	\$13.60	\$14.10
Powderman	\$14.95	\$15.45
Crawler Type Driller	\$14.95	\$15.45
Crane Signalman	\$13.60	\$14.10
Sheeting & Shoring and Timberman	\$13.60	\$14.10
Form Setters	\$14.45	\$14.95
Rodman	\$14.20	\$14.70
Concrete Finishers	\$14.25	\$14.75

The Hand Association of Sewer, Watermain & Road Contractors and the  
Labourer's International Union of North America, Local 837, Hamilton

Piling Driving (All Types and all Operations Related thereto)	\$13.70	\$14.20
Working Foremen	\$15.20	\$15.70
Watchmen Six Shifts per week, Ten (10) hours per shift	\$470.00 per wk.	\$470.00 per wk.
Flagmen	\$10.00	\$10.00
<u>Welfare Fund:</u>	\$1.50 (One Dollar and Fifty Cents) per hour over the above rates effective January 1, 1985	
<u>Training Fund:</u>	\$.80 (Eighty Cents) per hour over the above rates	
<u>Pension Fund:</u>	\$.50 (Fifty Cents) per hour over the above rates	

The Hand Association of Sewer, Watermain & Road Contractors and the  
Labourer's International Union of North America, Local 837, Hamilton

Schedule "D"

PREMIUM RATES AND COMPRESSED AIR

The following sliding scale of premium rates shall apply to workers in compressed air. These rates are non-cumulative

<u>Air Pressure</u>	<u>Premium Per Shift</u>	
	<u>Jan. 1/85</u>	<u>Jan. 1/86</u>
1 lb. to 14 lbs.	\$7.70	\$8.80
15 lbs. to 20 lbs.	\$9.70	\$10.70



EXHIBIT "B"

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Robert Agnew	Market Collector (part-time)	Market Division of City Clerk's	replacing Wallace Clark - retired	B-2	\$382.16 per week	May 27/85
Mrs. Silvana Albano	Stenographer B	City Clerk's	replacing Nancy Burden - promoted	108N	\$19,491.16 per annum	May 8/85
Mr. M.B. Chandra Shekar	Supervisor of Payroll	Treasury	replacing Ross Holland - transferred	115	\$31,931.64 per annum	May 27/85
Mr. Joseph Gattozzi	Motor Mechanic II (non-certified)	Central Garage Division of Public Works	replacing George Traini - retired	D-12	\$11.631 per hour	May 20/85
Mr. David Heshka	Motor Mechanic	Airport	replacing Walter Jerome - retired	D-17	\$12.755 per hour	May 21/85
Mr. Ross Holland	Assistant Supervisor of Taxation - Realty	Treasury	replacing Clive Ottaway - retired	115	\$33,368.92 per annum	May 6/85
Mrs. Jacqueline Turner	Secretary B	Culture and Recreation	returning to permanent position (was temporarily replacing Ruth Tiefenbach - off sick)	110	\$23,124.92 per annum	May 27/85

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Mary Walton	Stenographer I (temporary)	City Clerk's	replacing Betty Goddard - temporarily promoted	E-5	\$359.11 per week	May 8/85







## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **ELEVENTH** Report and respectfully recommends:

1. That the additional amount of \$660,000 required in 1985 for snow control (\$600,000) and for storm damage - trees (\$60,000) referred to in Section 11 of the Tenth Report of the Transport and Environment Committee, be financed in the following manner:
  - (a) Reserve for "Emergency Snow Removal" - 0280-29..... \$500,000
  - (b) Overdraft the Snow Control function..... \$100,000
  - (c) Overdraft the Arborist (trees) function..... \$60,000
2. That \$2,000 for a School Traffic Officer at the intersection of Upper Wellington Street and Jay Street, referred to in Section 28 of the Tenth Report of the Transport and Environment Committee, be financed by means of an overdraft in the School Traffic Officer Account No.0347.
3. That an estimated cost of \$4,000 to restore the four brick pillars on the road allowance at the intersection of Main Street and Barnesdale Boulevard, referred to in Section 74 of the Tenth Report of the Transport and Environment Committee, be financed by means of an overdraft in the sidewalk and paths Account No.0352-0461, and that the necessary funds be found from within the 1985 Engineering Estimates.
4. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an alleyway in the block bounded by Rosslyn Avenue, Campbell Avenue, Balmoral Avenue and Cannon Street, at an estimated cost of owners' share of \$20,383.43, as well as City's share of \$27,616.57, by the issuance of debentures totalling \$48,000.00 for a period not to exceed 15 years, and further, that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of \$48,000.00 for a term not to exceed 15 years for the above project.

**NOTE:** Section 72 of the Tenth Report of the Transport and Environment Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

5. That the \$8,220 required by the City Clerk for equipment for Aldermen's Support Service - Furnishings and Equipment, referred to in Section 12 of the Tenth Report of the Legislation Committee, be financed by means of a Contingency transfer to Account No.0321-0271.
6. For the information of the Members of City Council, the Finance Committee wishes to advise that it has changed its meeting time for its regular meetings from 2:00 o'clock p.m. to 9:30 o'clock a.m. on the Thursday prior to City Council.

7. That the gross cost of the Waterfront Park Improvement Project, in the amount of \$50,000 referred to in Section 12.(a) of the Tenth Report of the Parks and Recreation Committee, be financed from the 5 mill capital levy.
8. That the taxed court costs payable to Kohler Drug Store Limited, in the amount of \$2,027.75, referred to in Section 28 of the Eighteenth Report of the Planning and Development Committee, be charged to the Unclassified Expenditure Account No.0378-2766.
9. That the amount of \$226,500 required for additional staff and accommodation costs in the Building Department for the balance of 1985, referred to in Section 15 of the Eighteenth Report of the Planning and Development Committee, be financed in the following manner:
  - (a) Salaries and benefits of two Inspectors, two House Plan Examiners, two Stenographers, a part-time Stenographer and temporary contract person, plus the purchase of two typewriters, transfer from the Contingency Account No.0378-11 ..... \$116,500
  - (b) Accommodation Costs - Workstations and telephone and electrical work, from the Reserve for Capital Projects Account No.0280-27 ..... \$110,000
10. That the Design Fees (excluding construction supervision), based upon Phase II costs (1985) in the amount of \$65,210, for the Downtown Hamilton Action Plan Phase III-B referred to in Section 16 of the Eighteenth Report of the Planning and Development Committee, be financed in 1985 from the Reserve for Capital Projects, Account No.0280-27, on an interim basis pending Ontario Municipal Board approval at a later date.
11. (a) That Hamilton Place be authorized to enter into an agreement with Best Available Seating Service (BASS), a Division of PolyCom Systems Limited of Toronto, Ontario to provide a computerized ticketing service for the Victor K. Copps Trade Centre/Arena, Hamilton Place and the Convention Centre.
- (b) That the Managing Director of The Hamilton Entertainment and Convention Facilities Inc. be authorized to purchase from Hamilton Place, on an interim basis, the ticketing services required by the Victor K. Copps Trade Centre/Arena.

**NOTE:** This recommendation has been approved by the management of all three facilities, the Hamilton Place Committee on Computerized Ticketing and the Interim Board of The Hamilton Entertainment and Convention Facilities Inc.

This is the best of nine (9) proposals received and results in no capital cost to the City for the equipment. This is noteworthy, since it would generate a capital budget saving of \$500,000 for the City.



12. That the law firm of Philp, Gordon, Leggat, Evans, Piggot and Culver, Hamilton, Ontario be retained to assist management in drafting a final Standard Licence Agreement for the use of Copps Coliseum.

Sufficient funds are available in the operating budget to provide for this expenditure.

13. That a joint Accommodation Committee composed of City and Regional elected representatives be established to study and plan for the long term office needs of The City of Hamilton and The Regional Municipality of Hamilton-Wentworth and that the Chairman and Vice-Chairman of the Finance Committee, as present members of the Space Accommodation Committee be the City representatives on the joint Committee and that the Regional Municipality be formally requested to participate in the project.
14. That authority be given to install Compucorp mini-computers in various departments as they are cost justified by the Treasurer. The initial Purchase Order to be issued to Scott Computer Leasing. This company may be replaced in the future if better leasing arrangements can be made. The term of the lease is annual and is subject to the necessary funding being provided by Council through the budget of the Systems Department Account No.0323-1884. The amount of \$193,680.00 has been approved in the 1985 budget for this equipment. This amount was based on the equipment being installed in stages beginning in May. This full amount will not be required.

**NOTE:** The equipment being recommended is the only proposal that met the specifications of the nine (9) proposals received.

15. That the use of the property No.441 Kenilworth Avenue North as a municipal parking lot be discontinued and that the Director of Real Estate be authorized to investigate the possible lease or sale of the property.

**NOTE:** The Parking Authority of the City of Hamilton recommends discontinuance of this parking lot and advises that gross revenues in 1984 were \$221.00 and in 1983 were \$164.00, resulting in direct operating losses of \$3,136.00 and \$2,859.00 respectively.

16. (a) Approval of the sale of the following parcels of land on the Beach Strip to the Ministry of Transportation and Communications:
- (i) described as being in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth being in Kenmore Park, Registered Plan 487 (Burlington Beach) formerly in the Township of Saltfleet, containing 1,272.3 square feet (118.2 m<sup>2</sup>) shown as Part 1 on Plan 62R-7500 in the total amount of \$90.00;
  - (ii) described as being in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth being part of Hotel property, Registered Plan 364, formerly in the Township of Saltfleet, containing 5,390.7 square feet (500.8 m<sup>2</sup>) shown as Part 12 on Plan 62R-7546 in the total amount of \$371.00.

This Offer to Purchase is subject to -

- (A) the Ministry erecting a six foot security fence, one foot inside the new right-of-way limits, during construction, and to be responsible for its maintenance;
  - (B) no access to or crossing over the controlled access highway being permitted;
  - (C) the trees cut from the above properties becoming the property of the Ministry and the disposal of same shall be the Ministry's responsibility.
- (b) The proceeds of this sale to be credited to Account No.0280-02.
  - (c) That the City Solicitor be directed to have the Property Purchase Agreement executed by City Officials and finalize the transaction.
17. That the Hamilton-Wentworth Roman Catholic Separate School Board be advised that the City has no interest in the purchase or leasing of Holy Rosary School, 337 Gage Avenue North.
18. (a) That an approach be made to the Government of Ontario for an immediate decision on the direction of the Province relative to the use of the former Main Library Building for Unified Family Court facilities.
- (b) That failing a firm commitment from the Province for such use, the Corporation of the City of Hamilton undertake to advertise immediately the availability of the former Library Building and adjacent civic properties for a development of substance.
19. That the interim financing of the cost of engineering consultants for the Ferguson Avenue Yard Building - District No.2, estimated to be \$6,250.00, be from the Reserve for Capital Projects, Account No.0280-27, until the full cost of the project is approved by the Ontario Municipal Board.
20. That the interim financing for the cost of engineering consultants for the Brampton Street Yard Building - District No.3, estimated to be \$14,650.00, be from the Reserve for Capital Projects, Account No.0280-27, until the full cost of the project is approved by the Ontario Municipal Board.
21. (a) That the interim financing for the cost of engineering consultants for Hamilton Place - Heating Piping Revisions, estimated at \$10,500.00 be from the Reserve for Capital Projects, Account No.0280-27, until the full cost of the project is approved by the Ontario Municipal Board.
- (b) That Group Eight Engineering Ltd., Hamilton, Ontario, be retained to prepare tender document plans and specification and provide field review, inspection and co-ordinating for the estimated cost of \$10,500.00.



22. (a) That H. H. Angus & Associates, who prepared the Energy Management Systems Study of July, 1984, be commissioned to carry out design and construction administration for revisions to the City Hall Energy Systems as described in that report, at a fee not to exceed 10% of the cost of the construction.
- (b) That the cost for this consulting work be charged to the appropriation for the project, Capital Budget No.B34500, C35500, and D36500, which was approved by Council 1984 August 28, to cover both consulting and construction costs.
- (c) That the City Solicitor be authorized to prepare a contract with the consultant for execution by the Mayor and City Clerk.

23. Approval of the settlement of the following claims:-

- (a) "By County Court writ issued April 10, 1984, Shirley and George Scholes commenced action against the City for damages for personal injuries Mrs. Scholes suffered arising out of her fall on the sidewalk area in front of City Hall on April 3, 1984.

Mrs. Scholes suffered injuries to her face, arms, hands and knees, including a cut under her chin that required 14 stitches to close and may require plastic surgery.

Settlement negotiations have taken place with the solicitor for Mr. and Mrs. Scholes and they have agreed to settle their claims for \$1,614.32, which settlement is recommended."

- (b) On October 4, 1979, Charles Keenan, a City employee, was injured in a motor vehicle accident. He was a passenger in a City motor vehicle that was struck by a motor vehicle owned by Judy Cox and operated by Daniel R. Cox.

Mr. Keenan suffered injury to his left foot, leg, knee, hip and his lower back requiring him to take time off work and the City to incur expenses through Workers' Compensation for compensation and medical aid payments.

Action was commenced against Daniel and Judy Cox by Writ of Summons issued September 22, 1981. The matter was to proceed to a jury trial on Tuesday, May 21, 1985.

Just prior to trial, and subject to City Council approval, a settlement was negotiated with the solicitor for the insurer of Daniel and Judy Cox in the amount of \$25,000.00, inclusive of interest and costs, which amount is to be paid to the City. This settlement is recommended.

After deduction of the City's expenses and costs there will be a surplus of \$10,302.44 and it is further recommended that in accordance with the authority granted under Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539, payment of the surplus be made to Mr. Keenan. The Workers' Compensation Act provides that in the event that Mr. Keenan suffers a recurrence relating to the accident, the above-mentioned sum of \$10,302.44



remains as a credit to the City and will be deducted from the amount of any further compensation or other benefits to which Mr. Keenan may become entitled to from The Workers' Compensation Board with respect to this accident.

- (c) "By County Court Writ of Summons issued February 5, 1982, Douglas and Nancy Webb commenced action against the City, the Region, Tyka Investments Limited, Victoria Park Community Homes Inc., Army Sewers and Concrete Construction Ltd., Dufferin Materials & Construction Limited, carrying on business under the firm name and style of Dufferin Concrete Products, Carlo Bros. Excavating Limited, Duce Construction and Hurricane Construction Ltd.

The action was commenced to recover damages for personal injuries Douglas Webb sustained in a motor vehicle accident November 14, 1981 on Kimberly Drive in front of a townhouse development, being built by Tyka Investments Limited for Victoria Park.

The accident allegedly occurred when Mr. Webb lost control of his motor vehicle due to mud on Kimberly Drive and struck a light standard. Mr. Webb suffered injury to his shoulder and back, including a fractured right clavicle and a fracture of the second cervical vertebra.

Settlement negotiations have taken place with the solicitor for Mr. and Mrs. Webb and they have agreed to settle their claims for \$20,000.00 inclusive of interest and costs of which Tyka Investments Limited will contribute \$10,666.67 and Dufferin Materials and Construction Limited will contribute \$5,666.67 with the balance of \$3,666.66 to be paid by the City, subject to City Council approval."

24. That the City Solicitor be directed to prepare a by-law to authorize the Mayor and City Clerk to execute an Agreement with the Province of Ontario whereby the Ministry of Municipal Affairs and Housing agrees to contribute to the actual cost of the Municipal Action '85 Program - Grant for Implementation of a Physical Demand Analysis Program, the sum of \$16,050.00.
25. That in view of the limitations on the 1985 current revenues relative to unanticipated overdrafts in evidence in the 1985 current expenditures, all Department Heads and elected officials be advised of the situation and encourage savings for the balance of the year, where possible.

**NOTE:** Previously forwarded to Members of City Council were copies of a report from the Treasurer to the Finance Committee, respecting the 1985 current budget status, dated June 13, 1985.

26. (a) That the consulting firm Peat, Marwick and Partners, Commerce Court West, Toronto, Ontario, be retained for a computer information needs study for the Corporation of the City of Hamilton, Hamilton Public Library and the Regional Municipality of Hamilton-Wentworth, on the understanding that the consultants will commence this assignment approximately July 2, 1985 to be completed by mid October 1985, for a maximum fee (upset limit) of \$79,000

(including expenses) with this cost to be financed by the three organizations as follows:

City of Hamilton - \$36,300; Library - \$15,500; Region - \$27,200.

- (b) That the City of Hamilton's share of this fee, \$36,300, be financed from Account No.0323-1456 on the basis of an approved overdraft of \$16,300 with the balance of \$20,000 originating from a carry forward credit from 1984.
- (c) That the Hamilton Public Library portion of this fee, \$15,500 be financed from Library Account No.2355-0156.

27. Approval of a regular audit fee with Spicer MacGillivray for the year 1985 for City-related expenses in the total amount of \$56,650.

**NOTE:** For the information of City Council, this is an increase of \$1,650 or 3.0% over 1984 actual fees.

28. That outstanding business taxes in the amount of \$23,204.21, be written off in accordance with Section 495 of the Municipal Act R.S.O. 1980, and charged to Account No.0378-0688, Tax Write-offs.

**NOTE:** Detailed information regarding these write-offs may be obtained by contacting the Secretary, Finance Committee, or the Treasurer.

29. (a) That the City proposals for the 1985-1986 Ontario Youth Corps Program, as set out in Schedule "A" attached, be approved subject to Program approval at an estimated cost of \$295,826 and the estimated City's share of \$17,210 be financed from Account No.0408-T4900 City's Share of C.O.E.D. and Canada Works Programs.
- (b) That the Non-Profit Community Groups proposals as set out in Schedule "B" attached, be approved for participation in the 1985-1986 Ontario Youth Corps Program, subject to Program approval and the group meeting the municipal eligibility criteria, at an estimated cost of \$563,056.
30. That the cost of overtime rates and clothing allowances for the City Garage drivers in the amount of \$3,900 - City's cost required for the balance of 1985, referred to in Section 7. (a) of the Sixth Report of the Personnel Committee, be financed by means of a Contingency transfer to Account No.0321-0401.
31. That the cost of implementing the Income Protection Plan for Members of City Council for the balance of 1985, in the amount of \$6,000, referred to in Section 6 of the Fourth Report of the Personnel Committee adopted by City Council at its meeting held April 30, 1985, be financed by means of a Contingency transfer to Account No.0321-0104 and 0321-0204.
32. That the cost of salaries and employee benefits of two additional positions of Receptionist - Aldermen's Office and Secretary to the Aldermen for the balance of 1985, in the amount of \$22,250, referred to in Section 2 of the Sixth Report of the



Personnel Committee, be financed by means of a Contingency transfer to Account No.0321-0301.

33. (a) That an Option to Purchase the lands and residential buildings of the Estate of Elizabeth Cathrine Bagshaw, duly executed on May 29, 1985 and scheduled for closing on August 20, 1985, be completed, and that the said building thereon be demolished and the lands cleared for off-street parking.

The property comprises an area of 610 m<sup>2</sup> (6,600 sq. ft. more or less) and is known as 608 King Street East. The purchase price for the realty is \$74,000 and demolition costs are estimated at \$5,000, the total cost of which will be charged to account 0408—34156 (Parking Authority).

- (b) That the appropriate Committee of Regional Council be requested to consider changing the time limit on the parking meters on the south side of King Street East between Grant Avenue and Tisdale Street to 15 minutes.

**NOTE:** Acquisition of the subject property was initiated by the Parking Authority to provide off-street parking for commercial activity on King Street, westerly from Wentworth Street, on the understanding that the meters on the south side of King Street East between Grant Avenue and Tisdale Street would be removed.

Regional Council, at its meeting on June 18, 1985, considered this matter and agreed that the parking meters would be retained. As a result of the decision of Regional Council, the Parking Authority is withdrawing its recommendation to purchase this property, and establish an off-street parking lot.

Notwithstanding the recommendation of the Parking Authority, the Finance Committee is of the opinion that the parking lot is required, and further, that a change in the time limit of the parking meters will generate additional use of the proposed lot.

34. (a) Approval of the following Convention/Reception Grants:-

- (i) Hamilton Checker Club in the amount of \$250 to defray the costs of a tournament September 1985;
- (ii) Hamilton Lacrosse Association in the amount of \$500 to defray the costs of a tournament June 28-30, 1985;
- (iii) Philippino-Canadian Association of Hamilton in the amount of \$400 to defray the costs of a reception June 08, 1985;
- (iv) Ontario Inner-City Soccer League in the amount of \$240 to defray the costs of an all-star game July 10, 1985;
- (v) Hamilton District Volleyball Council in the amount of \$576 to defray the costs of a tournament July 20, 1985;



- (vi) Ontario Youth Concert Band in the amount of \$180 to defray the costs of a reception June 27, 1985.
- (b) That the above Grants totalling \$2,146.00 be funded by an appropriate transfer from Account No.0374-1000, Convention/Reception Grants.
- 35. (a) That a General Grant be approved for the Hamilton Art School in the amount of \$500 in Category 4 - One time only Grant, to defray operational costs.
- (b) That this Grant amount be funded by an appropriate transfer from Account No.0374-0601, Unallocated Grant Funds.
- 36. That the application from the Municipal Information Systems Association to defray the costs of a banquet as part of their annual conference be approved in the amount of \$4,400 and be financed from Account No.0378-3567, Hosting of Conferences with Municipal Subject Content.
- 37. That Item 5 of the Ninth Report of the Finance Committee adopted by City Council at its meeting May 14, 1985, respecting a Convention/Reception Grant to A.I.E.S.E.C., be rescinded due to the cancellation of the event.

**NOTE:** This item approved a Convention/Reception Grant in the amount of \$315 to the International Association for Students of Economics and Commerce (A.I.E.S.E.C.) - McMaster University, for a luncheon/conference of its members.

- 38. That the application by Rizzo's Karate to defray the costs of the Tenth Annual Provincial Karate Championships and Canadian Grand National Team Championships **to be held in April 1986** be referred to the new City Council with a recommendation of a Convention/Reception Grant in the amount of \$1,000.
- 39. (a) That the following amounts be provided to the Airport tenants outlined below to cover the additional one month's rent not included in the previously approved 1985 Airport Grants:

(i) Fire Department Band .....	303.00
(ii) 431 Krakow Wing.....	38.00
(iii) Canadian Warplane Heritage.....	612.00
(iv) Experimental Aircraft .....	104.00
(v) 779 Air Cadets .....	303.00
	<hr/>
	\$1,360.00

- (b) That this total amount of \$1,360.00 be charged to the Unclassified Account No.0378-2700.
- 40. That leave be granted to introduce the following Bills:-
  - (a) Bill F-17 - By-law to Authorize Execution of Municipal Action '85 Agreement

- (b) Bill F-18 - By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**Alderman D. Gray, Chairman  
Finance Committee**

J. J. Schatz, Secretary  
JJS:bg

1985 June 20

City of Hamilton  
Treasury

## ONTARIO YOUTH CORPS PROGRAM

## PROPOSED APPLICATIONS - CITY PROJECTS

Project Approval Number (1)	Description (2)	Tentative Start Date (3)	No. of Positions (4)	Hours per Week (5)	No. of Weeks (6)	Provincial Contribution 30% of							Municipal Contribution (Other Costs) (12)	Total Project (13)
						Total Hours (7)	Hourly Subsidy (8)	Total Wages (9)	Allowance (Other Costs) (10)	Total Subsidy (11)				
<u>Administrative Services</u>														
	Secretarial Services - C.A.O., July 2 (2)													
	Mayor's Office, Treasury Sept. 3 (1)		3	35	26	2,730	\$4.00	10,920	3,276	14,196	-	-	14,196	
<u>City Clerk</u>														
	Municipal Elections - 1985		1	35	26	910	\$4.00	3,640	1,092	4,732	-	-	4,732	
<u>Community Development</u>														
	Business Improvement Areas and Loan Programs	June 15	2	35	25	1,750	\$4.00	7,000	2,100	9,100	-	-	9,100	
<u>Culture and Recreation</u>														
	L.A.C.A.C. - Clerical	July 2	1	35	26	910	\$4.00	3,640	1,092	4,732	-	-	4,732	
	Museums - Clerical/Inventory	July 2	3	35	26	2,730	\$4.00	10,920	3,276	14,196	-	-	14,196	
	- Curatorial/Research	July 2	3	35	26	2,730	\$4.00	10,920	3,276	14,196	-	-	14,196	
	Research - Inventory of Baseball Fields and Playlot Equipment	July 2	2	35	26	1,820	\$4.00	7,280	2,184	9,464	-	-	9,464	
			9		104	8,190		32,760	9,828	42,588	-	-	42,588	
<u>Fire Department</u>														
	Mechanical Helper		1	40	26	1,040	\$4.00	4,160	1,248	5,408	-	-	5,408	
	Maintenance Labourer		1	40	26	1,040	\$4.00	4,160	1,248	5,408	-	-	5,408	
			2		52	2,080		8,320	2,496	10,816	-	-	10,816	

SCHEDULE "A" referred to in Item 29(a) of the Eleventh Report of the Finance Committee

m-11

SCHEDULE "A" referred to in Item  
29(a) of the Eleventh Report of  
the Finance Committee



City of Hamilton  
Treasury

## ONTARIO YOUTH CORPS PROGRAM

## PROPOSED APPLICATIONS - CITY PROJECTS

Project Approval Number (1)	Description (2)	Tentative Start Date (3)	No. of Positions (4)	Hours per Week (5)	No. of Weeks (6)	Total Hours (7)	Hourly Subsidy (8)	Provincial Contribution 30% of			Municipal Contribution (Other Costs) (12)	Total Project (13)
								Total Wages (9)	Allowance (Other Costs) (10)	Total Subsidy (11)		
<b>Purchasing</b>												
	Computer/Word Processing	July 2	1	35	26	910	\$4.00	3,640	1,092	4,732	-	4,732
<b>Public Works</b>												
	Cemetery - Clean Up, Grass Cutting, Leaves, etc.	Sept. 10	30	40	13	15,600	\$4.00	62,400	18,720	81,120	8,950	90,070
	- Fall Program	March 3	30	40	12	14,400	\$4.00	57,600	17,280	74,880	8,260	83,140
	- Spring Program		60		25	30,000		120,000	36,000	156,000	17,210	173,210
<b>Parks - Beautification, Clean Up and Repair</b>												
		June 15	6	40	12	2,880	\$4.00	11,520	3,456	14,976	-	14,976
			66		37	32,880		131,520	39,456	170,976	17,210	188,186
<b>Traffic</b>												
	Refurbish Traffic Sign Posts	June 15	3	35	22	2,310	\$4.00	9,240	2,772	12,012	-	12,012
<b>Treasury</b>												
	Employment Programs	July 3	1	35	26	910	\$4.00	3,640	1,092	4,732	-	4,732
	Co-ordinator	July 3	1	35	26	910	\$4.00	3,640	1,092	4,732	-	4,732
	Accounting/Pension Clerk		2		52	1,820		7,280	2,184	9,464	-	9,464
			89		370	53,580		214,320	64,296	278,616	17,210	295,826

City of Hamilton  
Treasury

## ONTARIO YOUTH CORPS PROGRAM

## PROPOSED APPLICATIONS - NON-PROFIT COMMUNITY ORGANIZATIONS

Project Approval Number (1)	Description (2)	Tentative Start Date (3)	No. of Positions (4)	Hours per Week (5)	No. of Weeks (6)	Total Hours (7)	Hourly Subsidy (8)	Provincial Contribution			Organizations Contribution (Other Costs) (12)	Total Project (13)
								Total Wages (9)	30% of Allowance (Other Costs) (10)	Total Subsidy (11)		
Hamilton History Associates Society												
	Discover Hamilton's Past											
	- development of literary and pictorial museum	July 2	4	40	26	4,160	\$4.00	16,640	4,992	21,632	-	21,632
Hamilton Folk Arts Heritage Council												
	Community Helpers											
	- Phase I	June 2	24	40	26	24,960	\$4.00	99,840	29,952	129,792	-	129,792
	- Phase II	Oct. 28	24	40	26	24,960	\$4.00	99,840	29,952	129,792	-	129,792
	- Phase III	Mar. 24	24	40	26	24,960	\$4.00	99,840	29,952	129,792	-	129,792
			72		78	74,880		299,520	89,856	389,376	-	389,376
North-West Communicare												
	Toddler Teaching Assistant	June 3	1	40	24	960	\$4.00	3,840	1,152	4,992	-	4,992
	Art Teaching Assistant	June 3	1	40	24	960	\$4.00	3,840	1,152	4,992	-	4,992
	Pre-school Teaching Assistant	June 3	1	40	24	960	\$4.00	3,840	1,152	4,992	-	4,992
	School Age Recreation	June 3	1	40	13	520	\$4.00	2,080	624	2,704	-	2,704
	Kitchen Worker	Immediate	1	40	24	960	\$4.00	3,840	1,152	4,992	-	4,992
			5		109	4,360		17,440	5,232	22,672	-	22,672

SCHEDULE "B"  
29(b) of the  
the Finance

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City of Hamilton  
Treasury

## ONTARIO YOUTH CORPS PROGRAM

## PROPOSED APPLICATIONS - NON-PROFIT COMMUNITY ORGANIZATIONS

Project Approval Number (1)	Description (2)	Tentative Start Date (3)	No. of Positions (4)	Hours per Week (5)	No. of Weeks (6)	Provincial Contribution					Organizations Contribution (Other Costs) (12)	Total Project (13)	
						30% of				Total Subsidy (11)			
						Total Hours (7)	Hourly Subsidy (8)	Total Wages (9)	Allowance (Other Costs) (10)				
Kirkendale - Strathcona Neighbourhood House													
	Recreationist	Oct. 1	2	40	26	2,080	\$4.00	8,320	2,496	10,816	-	10,816	
	Caretaker	June 3	1	40	26	1,040	\$4.00	4,160	1,248	5,408	-	5,408	
	Maintenance	June 3	2	40	26	2,080	\$4.00	8,320	2,496	10,816	-	10,816	
	Secretary (Computers)	June 3	1	40	26	1,040	\$4.00	4,160	1,248	5,408	-	5,408	
	Painters	June 3	2	40	26	2,080	\$4.00	8,320	2,496	10,816	-	10,816	
	Assistant Computer Instructor	June 3	2	40	26	2,080	\$4.00	8,320	2,496	10,816	-	10,816	
	Security	June 3	2	40	26	2,080	\$4.00	8,320	2,496	10,816	-	10,816	
	Fund-raising Assistant	June 3	1	40	26	1,040	\$4.00	4,160	1,248	5,408	-	5,408	
	Italian Community Worker	June 3	1	40	26	1,040	\$4.00	4,160	1,248	5,408	-	5,408	
	Portuguese Community Worker	June 3	1	40	26	1,040	\$4.00	4,160	1,248	5,408	-	5,408	
	Newsletter Editor Assistant	June 15	1	40	26	1,040	\$4.00	4,160	1,248	5,408	-	5,408	
	Christmas Stores Clerk	Oct. 1	2	40	12	960	\$4.00	3,840	1,152	4,992	-	4,992	
			18		298	17,600		70,400	21,120	91,520	-	91,520	
Hamilton/Scourge Foundation													
	Secretarial	June 3	2	35	26	1,820	\$4.00	7,280	2,184	9,464	-	9,464	
	Interpretation	June 3	4	35	26	3,640	\$4.00	14,560	4,368	18,928	-	18,928	
	Research	June 3	2	35	26	1,820	\$4.00	7,280	2,184	9,464	-	9,464	
			8		78	7,280		29,120	8,736	37,856	-	37,856	
			107		589	108,280		433,120	129,936	563,056	-	563,056	







REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To The Council of the Corporation of the City of Hamilton.

Members of Council:

The Mayor presents his **FOURTH** Report for 1985 and respectfully recommends:

1. That Council endorse the following Policy on Race Relations for the Corporation of the City of Hamilton Administration as attached hereto and marked as Appendix "A".
2. That Council endorse the appointment of the following two members to the Mayor's Race Relations Committee:

Mr. Phemon Ma  
Dr. Pushpa Rathor

Respectfully submitted,

**ROBERT M. MORROW, MAYOR**

S. K. Reeder, Secretary  
1985 June 21



POLICY ON RACE RELATIONS  
FOR THE  
CORPORATION OF THE CITY OF HAMILTON  
ADMINISTRATION

PRINCIPLE

The Corporation of the City of Hamilton is committed to a multi-racial, multi-ethnic society. It considers the presence of people from a wide range of racial, ethnic, cultural, and religious backgrounds to be a reflection of the Canadian ideal and a source of enrichment and strength. It firmly believes that its diverse publics have a significant role to play in influencing Municipal decisions and participating in Municipal Government as well as in the life of the entire community.

POLICY

The City affirms the multi-racial and multi-ethnic character of Hamilton by expressing the equality of rights and privileges of all its citizens. This expression will be manifested in the City's policies, by-laws, and programmes. Furthermore, it is intended that the City refine and augment all current policies as well as ensure that all future ones take into consideration a racially and ethnically diverse population. In doing so, the City ensures:

- i) that it will seek out ideas, opinions, and advice from the various racial and ethnic communities in order to reaffirm to the community and to all City employees its commitment to multi-racial and multi-ethnic society; and that it will actively pursue the development of plans and measures regarding this Policy;
- ii) that through its services and programmes, the City will continue to ensure fulfillment of this Policy in all areas - especially in such substantive ones as employment, housing and community development;
- iii) that the City of Hamilton familiarize all its employees with this Policy and seek to ensure that the objectives of the Policy are met in the performance of their duties;
- iv) that the Chief Administrative Officer of the Corporation be responsible for implementing this Policy; and report on its implementation once a year.
- v) that the City of Hamilton inform the community of its commitment to this policy, and in so doing, provide access for everyone to all programmes and services offered by the municipality;
- vi) that every effort be made to reflect this Race Relations Policy in the objectives and policies of all the City's Boards, Committees, and other similar bodies;

- vii) that the composition of all the City's Boards, Committees, and other similar bodies, wherever possible, reflect the multi-racial multi-ethnic character of the community;
- viii) that every commercial firm, enterprise, or organization engaging in business with the City be encouraged to conform to this Policy;
- ix) that the City continues to participate in the expression and celebration of the heritage, cultural, and artistic values inherent in a diverse multi-racial and multi-ethnic society; and,
- x) that, on an annual basis this Policy be reviewed and revised when warranted.

#### IMPLEMENTATION GUIDELINES

The City will:

- seek out policies and programmes in the Corporation that maybe inconsistent with a multi-racial multi-ethnic society and thereby review and amend them accordingly;
- assess regularly the impact as well as the ability of individual Departments to respond to the services required and utilized by the various racial and ethnic communities;
- continue to liaise with the various racial and ethnic communities to effectively serve its citizens;
- continue to approach the planning and delivery of services to the community in a manner which will accommodate all segments of our society;
- reflect the image of a genuine multi-racial multi-ethnic Hamilton in the City's manuals and promotional material;
- encourage employees to discuss relevant programmes that will result in better services to a diverse Hamilton population;
- ensure that each new employee of the Corporation is given and made aware of this Policy;
- ensure that through the various training programmes, employees develop an awareness of the multi-racial and multi-ethnic character of the City;
- give this Policy statement to business organizations and enterprises engaging in contracts (or similar such arrangements) with the City to carry out their practices and operations in accordance with the objectives of this Policy;

- liaise with multi-racial and multi-ethnic agencies, institutions, organizations, as well as government departments - Federal, Provincial, and Region - to establish ongoing channels for community-relevant actions that have direct impact on the City's Race Relations Policy; and,
- give this Policy statement to all outside committees, groups, and organizations sponsored or funded by the City to enhance the multi-racial and multi-ethnic nature of the City through their activities in accordance with this Policy.

Revised as per Department Heads' review May 27, 1985



THE CORPORATION OF THE CITY  
OF HAMILTON

Bill No. A-24

BY-LAW NO. 85-

TO RECONSTRUCT A PORTION OF KING WILLIAM  
STREET AND A PORTION OF CENTENNIAL PARKWAY

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS it is necessary to reconstruct a portion of King William Street and a portion of Centennial Parkway as set out in Schedule "A" herein;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on the 30th day of April, 1985 in adopting Items 5 and 6 of the 7th Report of the Transport and Environment Committee, authorized the said reconstructions.

AND WHEREAS Notice of this By-law has been published as required by Section 301 of the said The Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, whether in objection to, or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The reconstruction of those streets set out herein in Schedule "A" be proceeded with.
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to sign all documents and do all things necessary to implement these works.
3. This By-law comes into effect on the date of its passing.

PASSED this 25th day of June, A.D. 1985.

City Clerk

Mayor

(1985) 7 R.T.&E.C. April 30

SCHEDULE "A"

- (a) King William Street, from James Street to John Street
- (b) Centennial Parkway, from approximately 90m north of  
Arrowsmith Road to approximately 105m north of Barton Street\*

## By-law No. 85 -

## To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Goldwyn	Northbound and Southbound	Golfwood
Bonaventure	Eastbound and Westbound	Clifton Downs
		(southerly leg)".

2. Schedule 29 (No Stopping Areas) is hereby amended:-

(a) by adding thereto the following items, namely:-

"Eastbourne	East	Main to 159 feet south
Graham	East	Monterey to 59 feet north
Wexford	East	Monterey to 69 feet north
Wexford	East	Central to 55 feet south
Graham	West	Central to 67 feet north
Graham	East	Central to 34 feet north".

(b) by adding thereto the following sub-section, namely:-

"F. No Stopping 8:00 a.m. - 5:00 p.m., Monday to Friday

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Wexford	West	Monterey to Central
Monterey	North	Wexford to the westerly limit of A. M. Cunningham School playground
Central	South	Wexford to the westerly limit of A. M. Cunningham School playground".

3. Schedule 35 (Wheelchair Loading Zones) is hereby amended by adding thereto the following item, namely:-

"Bold South 21 feet 45 feet west of Ray 8:00 a.m. to 6:00 p.m.  
Monday to Friday".

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1985.

City Clerk

Mayor



By-law No. 85 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Section 33a (Permit Parking) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting from Sub-section 1(b) the following words, namely:-

"Permit Parking Only".

and by substituting therefore the following words, namely:-

"Except by Permit".

2. Schedule 25A (Parking Time Limits) is hereby amended

(a) by deleting from Section 18 (One Hour Limit) the following item, namely:-

"Mary West Burlington to 68 feet north".

(b) by deleting from Section 19 (One Hour Limit) the following item, namely:-

"West 2nd Both Brantdale to Queensdale".

(c) by deleting Section 16 (One Hour Limit) in its entirety.

(d) by adding to Section 5 (One Hour Limit) the following item, namely:-

"Russell Both Upper Sherman to East 27th".

(e) by deleting from Section 1 (Three Hour Limit) the following item, namely:-

"Crockett South East 24th to East 25th".

and by adding thereto the following item, namely:-

"Crockett Both East 24th to East 25th".

3. Schedule 25B (Parking Time Limits) is hereby amended by adding to Section 4 (One Hour Limit) the following item, namely:-

"Mary West Burlington to 68 feet north".

4. Schedule 26 (No Parking Areas) is hereby amended:-

(a) by adding to Section A (No Parking Anytime) the following items, namely-

"Eastbourne	East	Main to Delaware
West 2nd	West	Richwell to 140 feet north
West 2nd	East	Richwell to 139 feet north".

and by deleting therefrom the following item, namely:-

"Crockett North East 24th to East 25th".

(b) by deleting Section I (No Parking 8:00 a.m. - 6:00 p.m.) in its entirety.

5. Schedule 26A (No Parking Areas) is hereby amended:-

(a) by adding thereto the following section, namely:-

"J. NO PARKING 8:00 a.m. - 5:00 p.m.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Lottridge	West	commencing at a point 77 feet north of Barton to a point 30 feet northerly therefrom".

(b) by deleting from Section C (No Parking, 8:30 a.m. - 5:00 p.m.) the following item, namely:-

"Eastbourne Both Main to Delaware".

6. Schedule 26B (No Parking Areas) is hereby amended by adding thereto the following item, namely:-

"Burlington South James to Wellington 2nd Wed. each month  
8:00 a.m. - 12:00 noon".

7. Schedule 27A (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

"Eastbourne Avenue East West".  
Main Street East to Southerly End

and by adding thereto the following items, namely:-

"Eastbourne Delaware to Southerly End	East	West
Adis Guildwood to Upper Horning	South	North".

8. Schedule 34 (Sticker Permit Parking) is hereby deleted in its entirety and the following substituted therefore:

"STICKER PERMIT PARKING

SCHEDULE 34 (Section 33a)

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>TIME</u>
Caroline	Both	Cannon to the Central Neighbourhood Park	Anytime
Eastbourne	West	Main to Delaware	8:00 a.m. to 5:00 p.m. Monday - Friday
Edison	North	New to easterly end	Anytime
Forsythe Pl.	North	From 118 ft. east of Forsythe to 20 ft. easterly	Anytime
Hess	West	Market to Napier	Anytime
Hunter	North	from 55 feet east of West to Victoria	Anytime
McNeil	Both	End to End	Anytime
Napier	South	commencing at a point 236 feet east of Queen to Hess	Anytime
Napier	South	Hess to a point 195 feet east	Anytime

Patrick	South	From 35 ft. west of the easterly end to the westerly end	Anytime
Peter	North	commencing at a point 294 ft. west of Queen to a point 62 ft. westerly therefrom	Anytime
Robert	North	from 50 feet east of Hughson to 101 feet west of John	Anytime
Severn	Both	Colbourne to southerly end	Anytime
Shaw	Both	Douglas to Emerald	Anytime
Shaw	North	Douglas to Cheever	Anytime
Webber	South	Victoria to East Avenue	Anytime".

PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 10 R.T.E.C. 76, June 25



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF MONTMORENCY DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-87 and E-88 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "A" (Conservation, Open Space, Park and Recreation) district, and land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land referred to in clause 1(a), are amended to the extent only of the special requirement that,

- (a) notwithstanding clauses 9(3)(ii) and 9(3)(iii) of By-law No. 6593, no building or structure, except a fence, shall be located less than 7.6 metres from the boundary of the lands shown on schedule "A" as Block 2.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-865a".

5. Sheets No. E-87 and E-88 of the District Maps are amended by marking the land referred to in clause (a) of section 1 of this by-law, "S-865a".

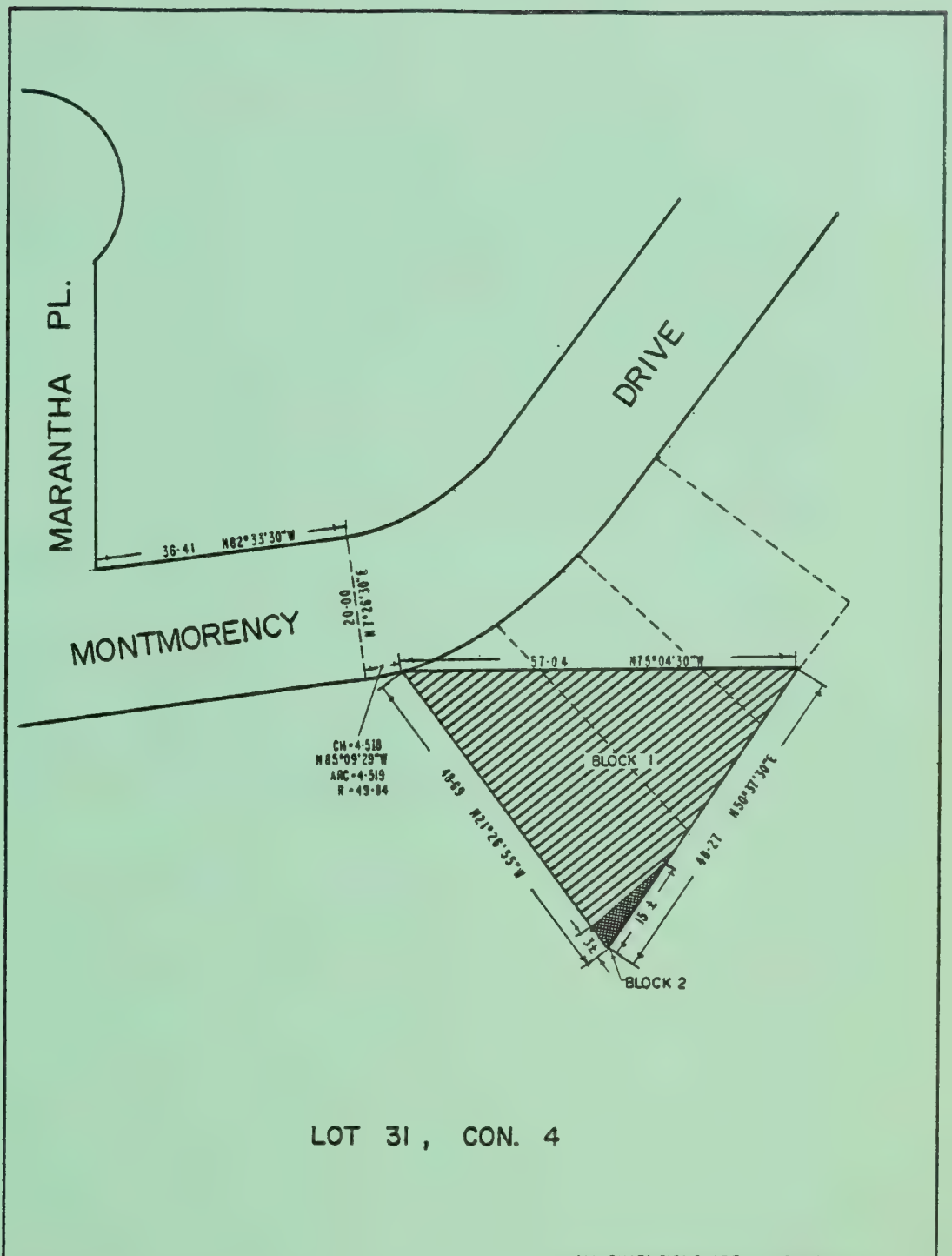
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 14 R.P.D.C. 7, May 14  
McNally Bros. (1965) Limited, Owner  
ZA-84-02



LOT 31, CON. 4

THIS IS SCHEDULE "A" TO BY-LAW NO.85 -  
PASSED THE DAY OF

ALL DIMENSIONS ARE IN METRES

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Clerk

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Mayor

**CITY OF HAMILTON  
SCHEDULE "A"**

**MAP FORMING PART OF  
BY - LAW NO.85 -**

**TO AMEND BY - LAW NO.6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

CHANGE IN ZONING FROM "AA" (AGRICULTURAL)  
DISTRICT TO :

BLOCK 1 "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

BLOCK 2 "A" (CONSERVATION, OPEN SPACE, PARK AND  
(RECREATION) DISTRICT.

North



Scale

1: 750

Reference File No.

2A84-02

Date

85-05-13

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Repeal:

Zoning By-law No. 85-102

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1545 UPPER JAMES STREET

WHEREAS By-law No. 85-102, passed on the 28th day of May, 1985, provided for a change in zoning from "AA" (Agricultural) district to "G-3" (Public Parking Lots) district, of certain lands comprised in Block 2 shown on schedule "A" thereto and required a side yard having a width of at least 1.2 metres;

AND WHEREAS section 3(b) of the 12th Report of the Planning and Development Committee, adopted by City Council on the 30th day of April, 1985, required that the applicant's share of the costs for municipal services shall be resolved and all requirements fulfilled as a condition of rezoning of the land as aforesaid;

AND WHEREAS the aforesaid matters have not been resolved and the requirements have not been fulfilled at the time of the passing of By-law No. 85-102;

AND WHEREAS in accordance with Council's directions, it is requisite that the said by-law be repealed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 85-102, passed on the 28th day of May, 1985, is repealed.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED IN THE AREA SOUTH OF THE PROPOSED MOUNTAIN FREEWAY  
AND WEST OF UPPER SHERMAN AVENUE**

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Blocks 2 and 3; and
- (c) by changing from "RT-20" (Townhouse - Maisonette) district to "C" (Urban Protected Residential, etc.) district, and land comprised in Block 4,

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as schedule "A".

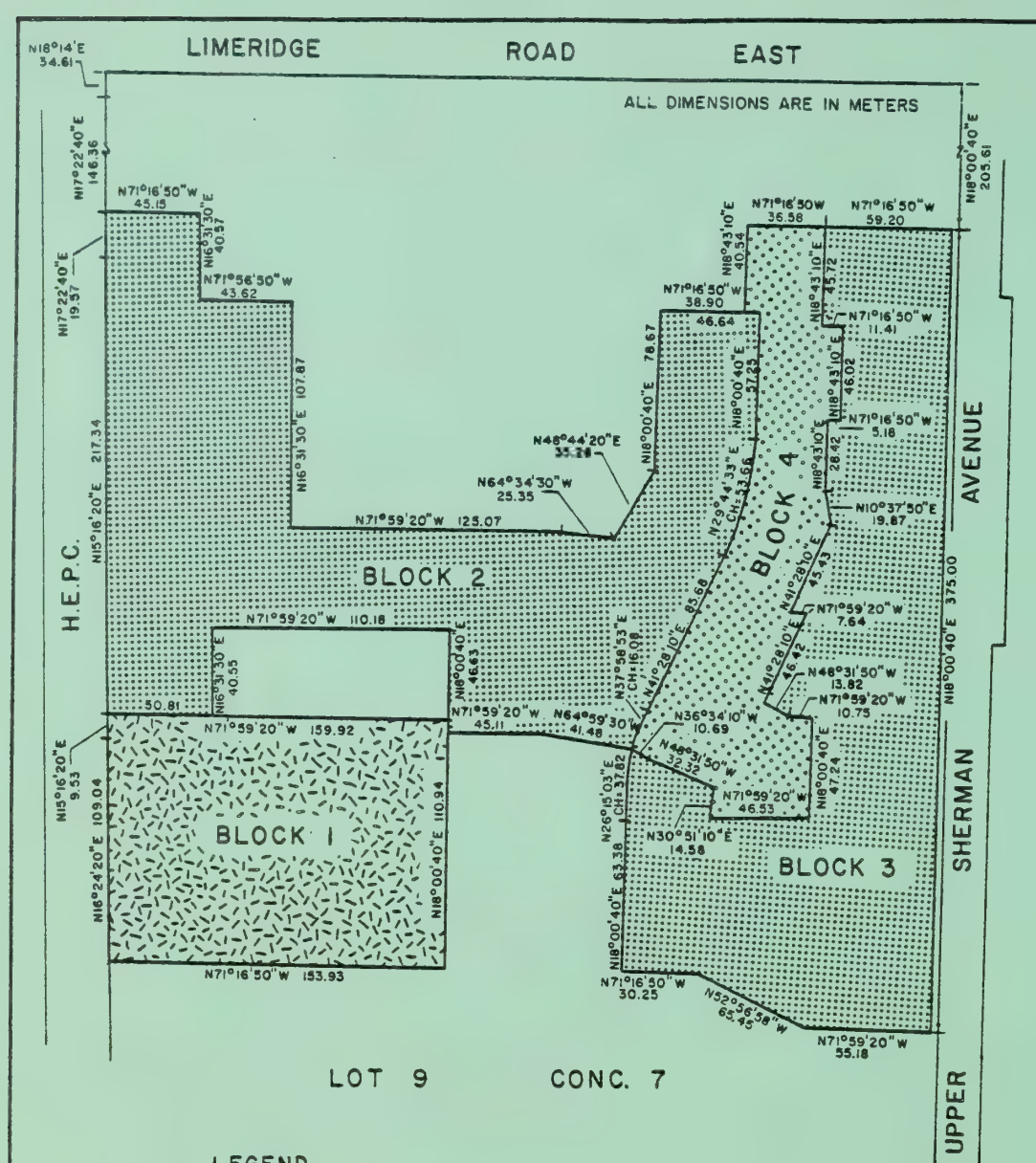
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 14 R.P.D.C. 5, May 14  
Ontario Land Corporation, Owner  
ZA-84-85



### LEGEND

CHANGE IN ZONING FROM:

BLOCK 1



"B" (SUBURBAN AGRICULTURE AND RESIDENTIAL, ETC.) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

BLOCKS 2 & 3



"D" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, ETC.) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

BLOCK 4



"RT-20" (TOWNHOUSE-MAISONETTE) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

THIS IS SCHEDULE "A" TO BY-LAW No. 85-  
PASSED THE DAY OF

Clerk

Mayor

## CITY OF HAMILTON SCHEDULE 'A'

MAP FORMING PART OF  
BY-LAW No. 85-

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

North



Scale

N.T.S.

Date

MAY 14, 1985

Reference File No.

ZA-84-85

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 14 to 38 BRUCEDALE AVENUE EAST

**WHEREAS** it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-7 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "DE-3" (Multiple Dwellings) district, the land comprised in Block 1; and
- (b) by changing from "E" (Multiple Dwellings, Lodges, Clubs, etc.) district to "DE-3" (Multiple Dwellings) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The "DE-3" (Multiple Dwellings) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 10C(2) of By-law No. 6593, no building shall exceed four storeys and no structure shall exceed 13.2 metres in height;
- (b) notwithstanding subsection 10C(5) of By-law No. 6593, no building or structure shall have a gross floor area greater than 4,860.0 square metres.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-911".

5. Sheet No. E-7 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-911".

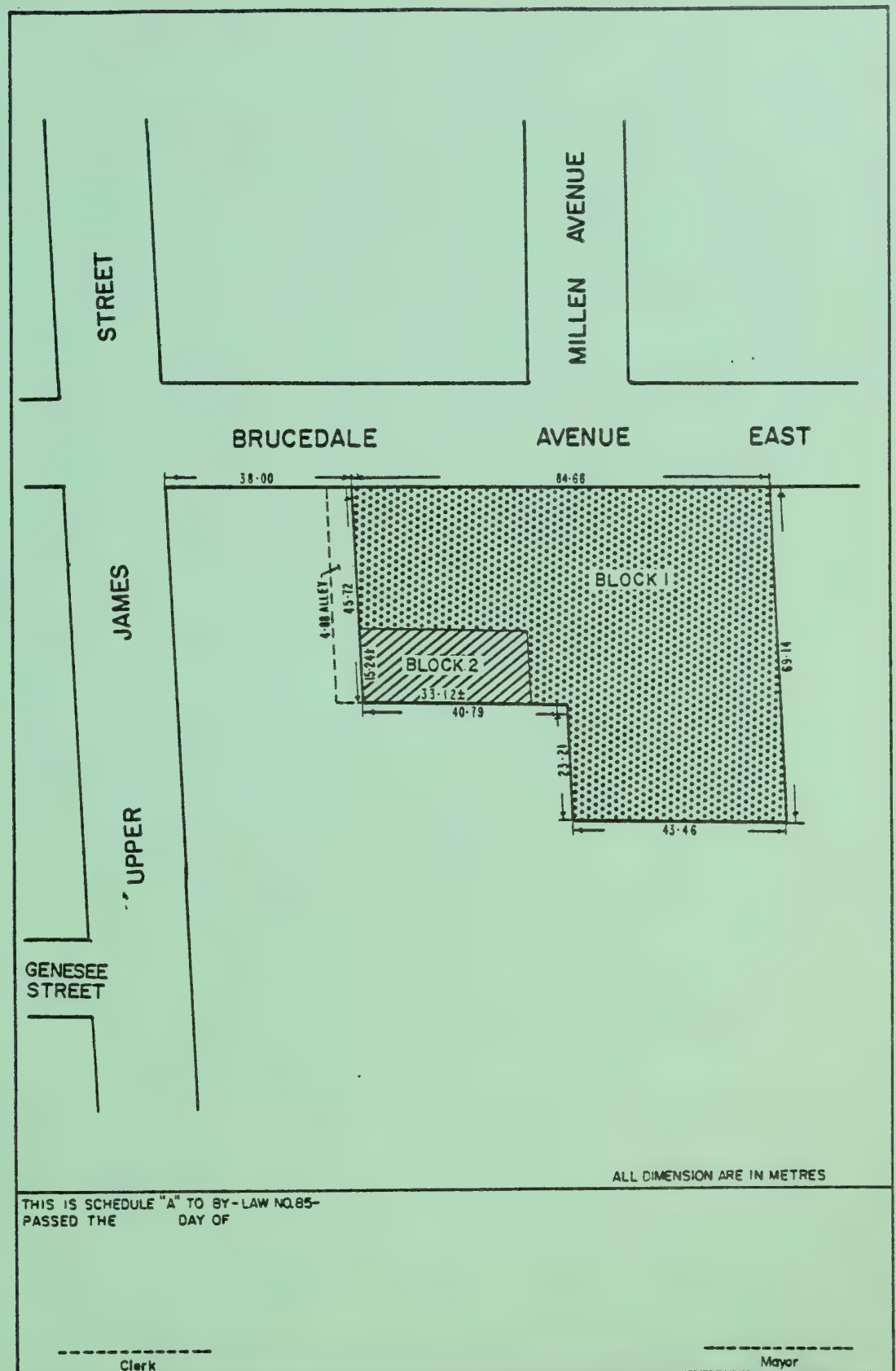
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 14 R.P.D.C. 3, May 14  
Bromley Developments Limited, Owner  
ZA-85-18



**CITY OF HAMILTON**

**SCHEDULE "A"**

**MAP FORMING PART OF**

**BY-LAW NO.85-**

**TO AMEND BY-LAW NO.6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

**BLOCK 1** CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "DE-3" (MULTIPLE DWELLINGS) DISTRICT.

**BLOCK 2** CHANGE IN ZONING FROM "E" (MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.) DISTRICT TO "DE-3" (MULTIPLE DWELLINGS) DISTRICT.

North 	Scale 1:1000	Reference File No. ZA 85-18
	Date 85-05-14	Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1590 UPPER OTTAWA STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "L-mr-1" (Planned Development - Multiple Residential) district to "L-r" (Planned Development - Low Density Residential) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

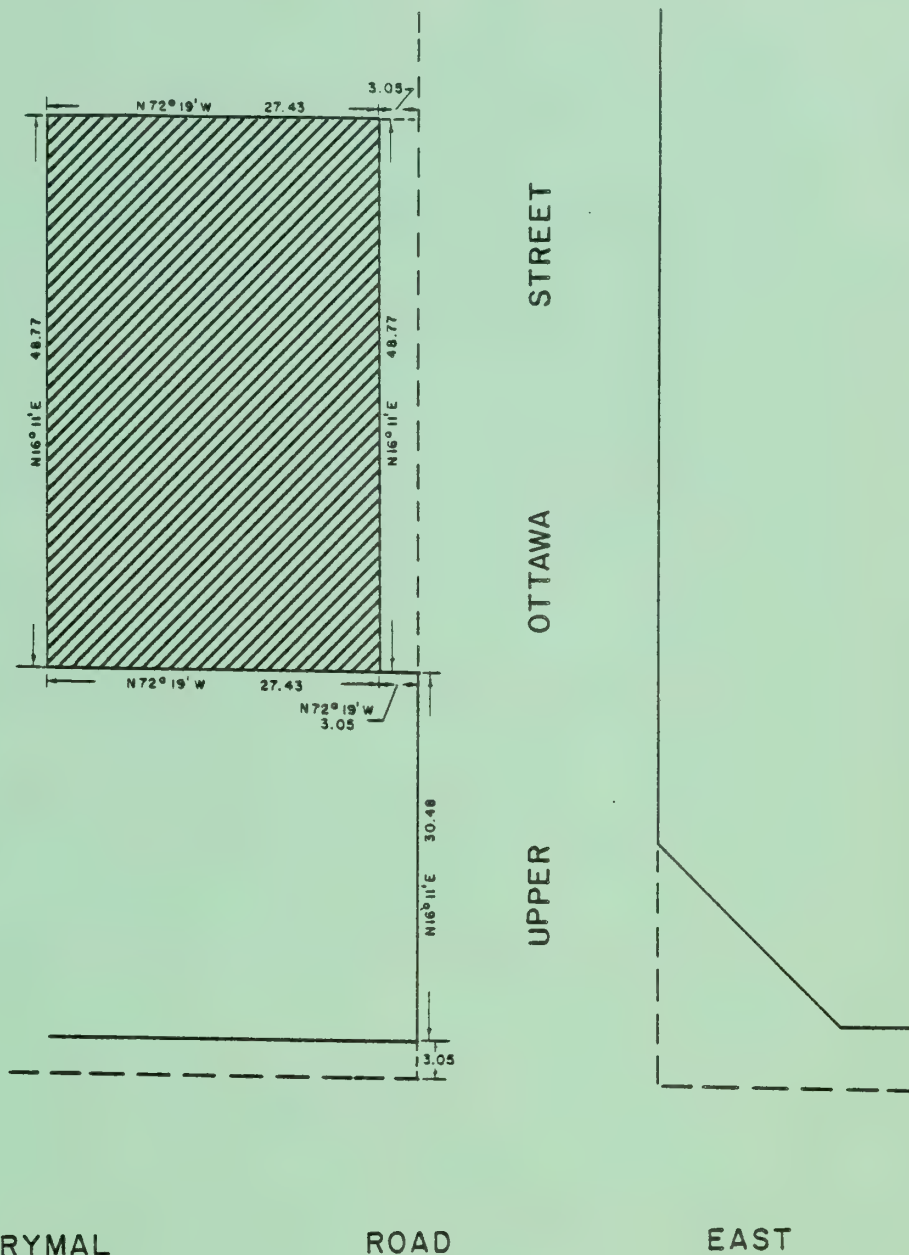
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 14 R.P.D.C. 1(a), May 14  
T. Nagy, Owner  
ZA-84-84



ALL DIMENSIONS ARE IN METERS

THIS IS SCHEDULE "A" TO BY-LAW No. 85-  
PASSED THE DAY OF

-----  
Clerk

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Mayor

CITY OF HAMILTON  
SCHEDULE 'A'

MAP FORMING PART OF

BY-LAW No. 85-

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

CHANGE IN ZONING FROM "Lmr-1" (PLANNED  
DEVELOPMENT - MULTIPLE DWELLINGS)  
DISTRICT TO "L-r" (PLANNED DEVELOPMENT  
-LOW DENSITY RESIDENTIAL) DISTRICT TO  
"C" (URBAN PROTECTED RESIDENTIAL, ETC.)  
DISTRICT.



North



Scale

1:500

Reference File No.

ZA-84-84

Date

MAY 13, 1985

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1590 UPPER OTTAWA STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

82. Land located at Municipal No. 1590 Upper Ottawa Street, shown on Appendix 82 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 82.

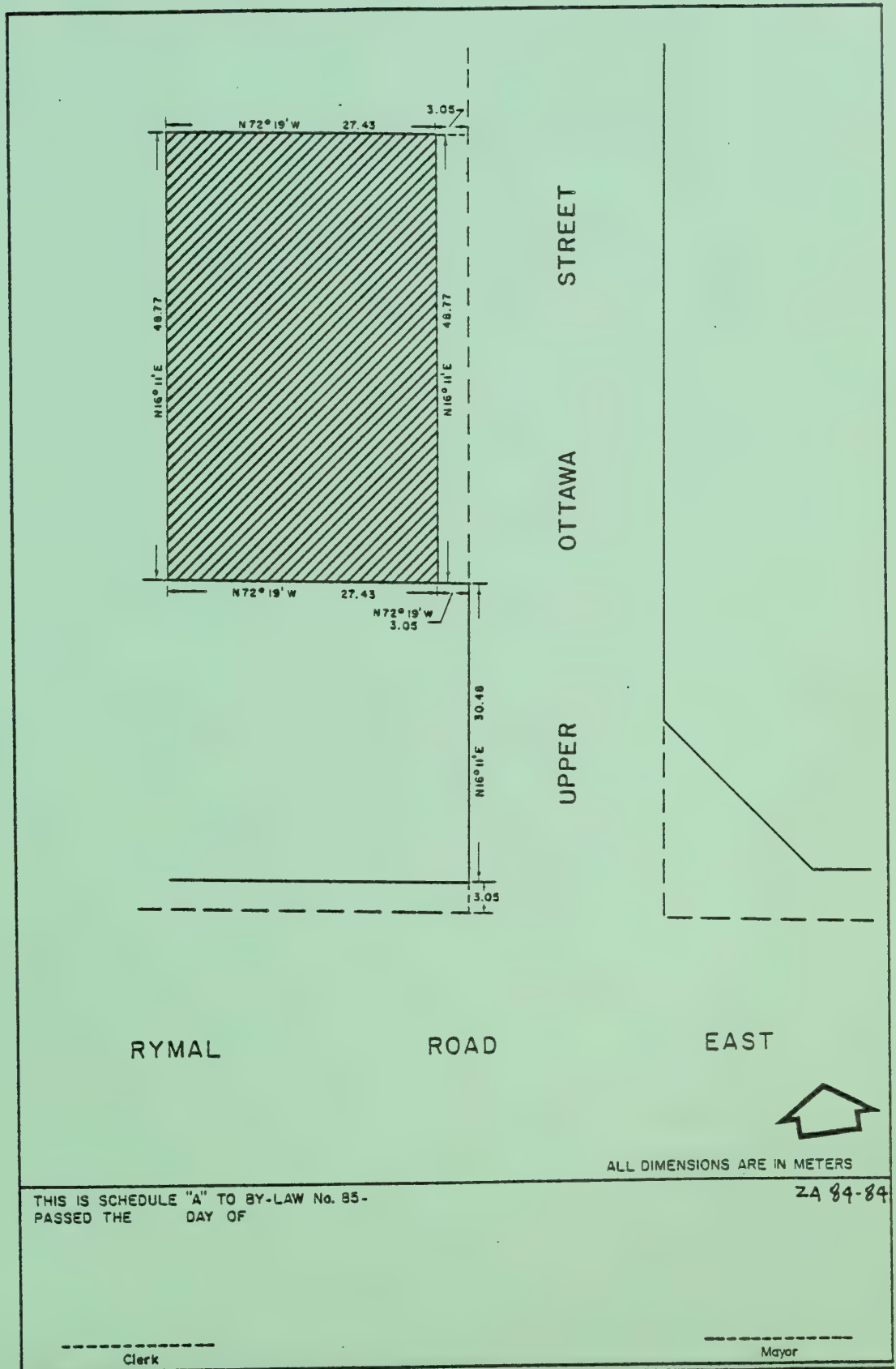
PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 14 R.P.D.C. 1(b), May 14  
T. Nagy, Owner  
2A-84-84





#### LEGEND



Lands designated under this by-law as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix 82 to By-law No. 79-275.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF RYMAL ROAD WEST  
BETWEEN UPPER PARADISE ROAD AND GARTH STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-27D and W-27E of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "R-4" (Small Lot Single-Family Detached) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

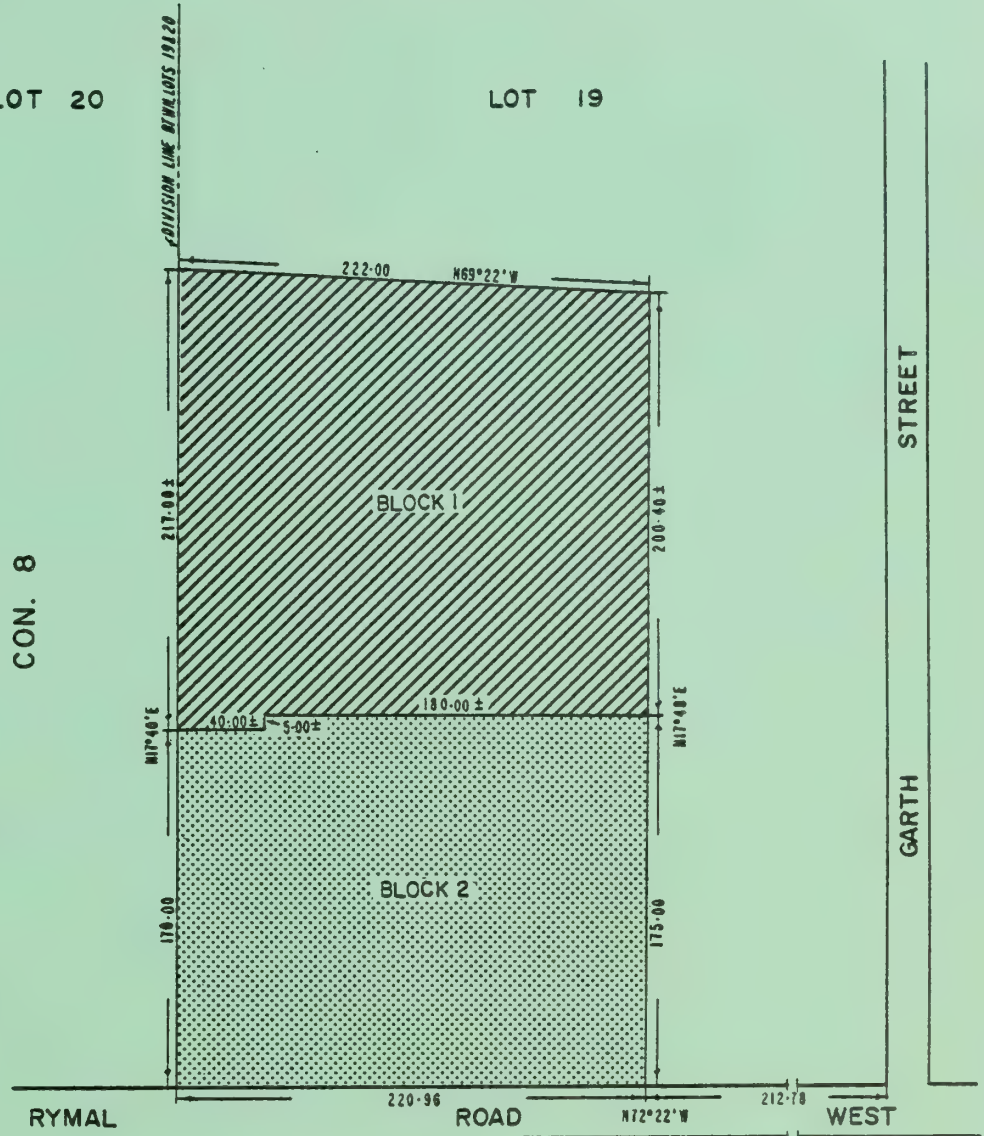
City Clerk

Mayor

LOT 20

LOT 19

CON. 8



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA" (AGRICULTURAL)  
DISTRICT TO:

BLOCK 1



"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

BLOCK 2



"R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT.

North



Scale

N. T. S.

Reference File No.

ZA84-45

Date

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF UPPER HORNING ROAD,  
IN THE AREA OPPOSITE AMALFI STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-37C and W-43C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Blocks 1 and 2,

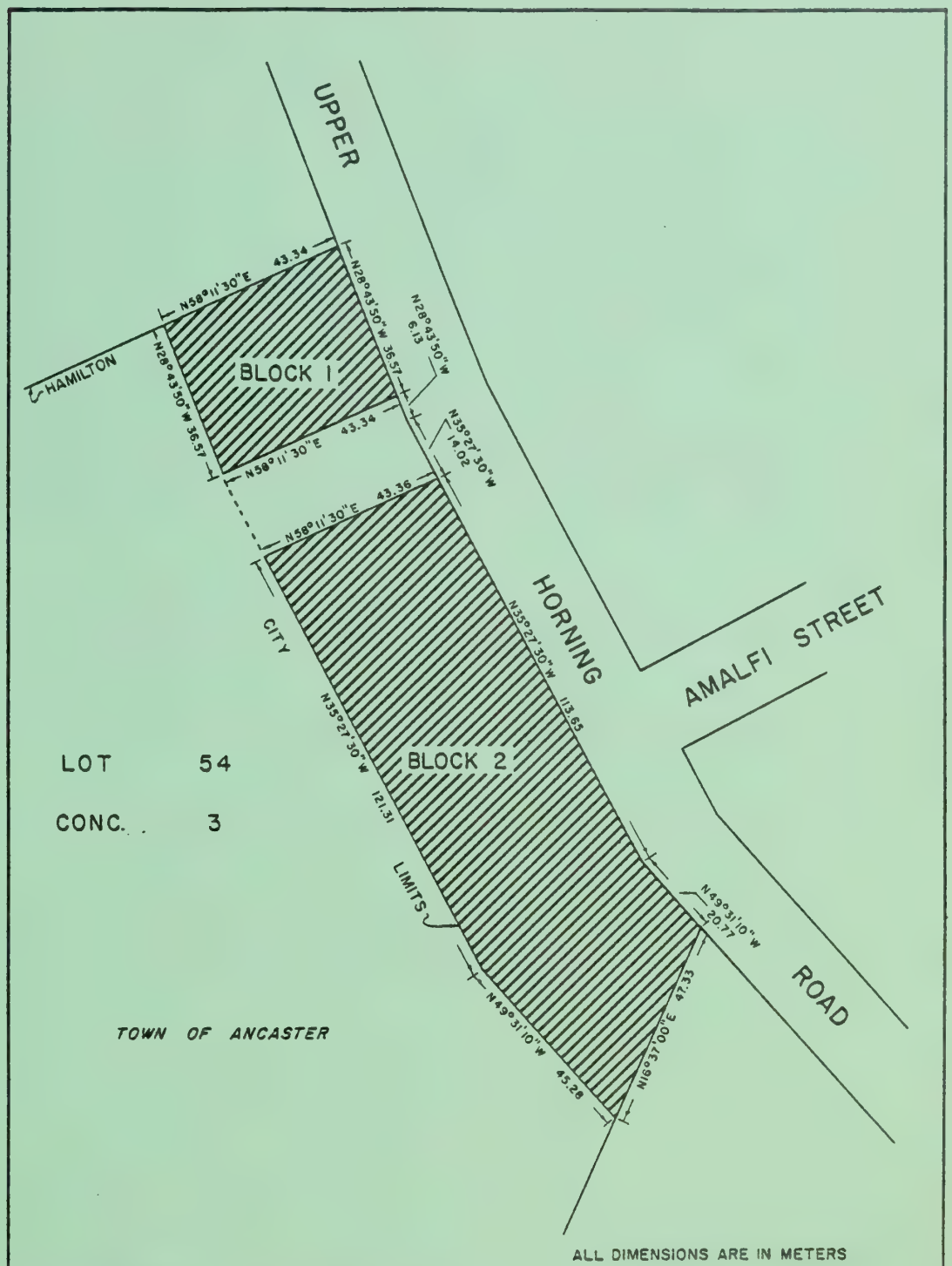
the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor



THIS IS SCHEDULE "A" TO BY-LAW No. 85-  
PASSED THE            DAY OF

-----  
Clerk

-----  
Mayor

**CITY OF HAMILTON**  
**SCHEDULE 'A'**

MAP FORMING PART OF

**BY-LAW No. 85-**

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

**BLOCK 1** CHANGE IN ZONING FROM "AA" (AGRICUL-  
**BLOCK 2** TURAL) DISTRICT TO "C" (URBAN PROTECT-  
ED RESIDENTIAL, ETC.) DISTRICT

North



Scale

1:1200

Reference File No.

ZA-85-17

Date

MAY 10, 1985

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE SOUTH-EAST CORNER OF  
BARTON STREET EAST AND VARGA DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-123 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "E-2" (Multiple Dwellings) district to "G-4" (Designed Neighbourhood Shopping Area) district, the land comprised in Block 1; and
- (b) by changing from "DE-2" (Multiple Dwellings) district to "G-4" (Designed Neighbourhood Shopping Area) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The "G-4" (Designed Neighbourhood Shopping Area) District provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 13D(1) of By-law No. 6593, the following additional,
  - (i) RESIDENTIAL USES shall not be prohibited:
    - 1. Residential uses comprised of dwelling units located only in the second storey of a building in which commercial uses are located in the first storey;



(ii) **COMMERCIAL USES** shall not be prohibited:

1. Commercial uses located only in the first storey of a building in which residential dwelling units are located in the second storey;

(b) notwithstanding the maximum depth requirement of not more than 45.0 metres provided by subsection 13D (5) of By-law No. 6593, a depth of no more than 80.0 metres shall not be prohibited.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-4" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-912".

5. Sheet No. E-123 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-912".

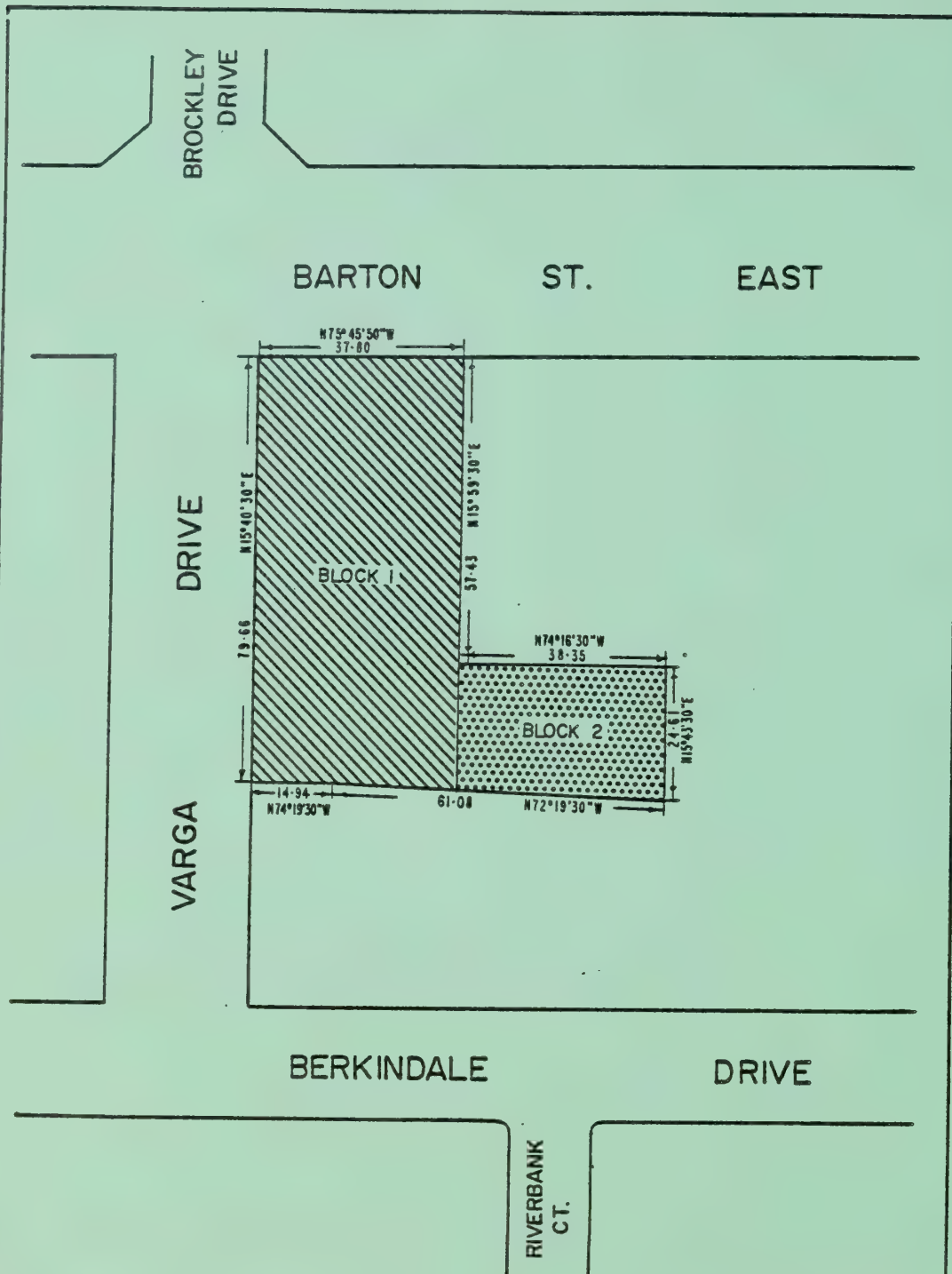
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 14 R.P.D.C. 6, May 14  
Walter Matesa, Owner  
ZA-85-15



THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

ALL DIMENSIONS ARE IN METRES

Clerk

Mayor

**CITY OF HAMILTON**  
**SCHEDULE "A"**

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



**BLOCK 1** CHANGE IN ZONING FROM "E-2" (MULTIPLE DWELLINGS) DISTRICT TO "G-4" (DESIGNED NEIGHBOURHOOD SHOPPING AREA) DISTRICT, MODIFIED.



**BLOCK 2** CHANGE IN ZONING FROM "DE-2" (MULTIPLE DWELLINGS) DISTRICT TO "G-4" (DESIGNED NEIGHBOURHOOD SHOPPING AREA) DISTRICT, MODIFIED.

North



Scale

1 : 1000

Reference File No.

ZA85-15

Date

85-05-15

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT THE SOUTH-WEST CORNER OF  
MOHAWK ROAD WEST AND UPPER HORNING ROAD**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-43A and W-43B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) district to "G" (Neighbourhood Shopping Centre, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 13(1) of By-law No. 6593, only the following,

- (i) RESIDENTIAL USES shall not be prohibited:

- 1. Residential uses referred to in subsection 10(1) of By-law No. 6593.
- 2. Residential dwelling units while located only in the second storey of a building in which the uses referred to in subclause (ii) are located.



(ii) **COMMERCIAL USES** shall not be prohibited:

1. Medical offices, dentists' offices and/or professional offices located in the first storey;

(b) a business identification sign in accordance with clause 13(1)(xv) of By-law No. 6593;

(c) a third party sign in accordance with clause 13(1)(xva) of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-909".

5. Sheets No. W-43A and W-43B of the District Maps are amended by marking the lands referred to in section 1 of this by-law, "S-909".

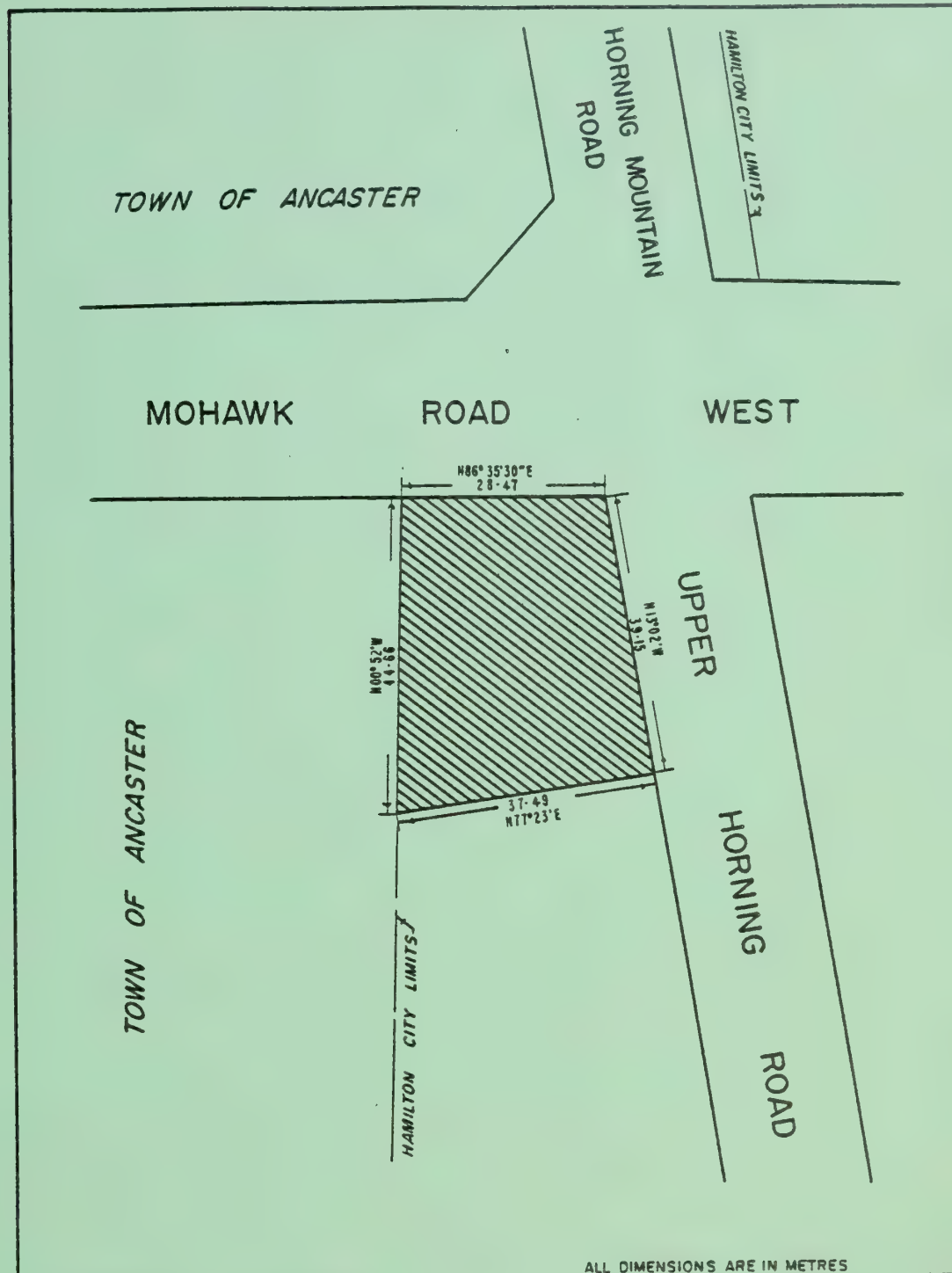
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 13 R.P.D.C. 1, April 30  
Union Gas Ltd., Owner  
ZA-85-13



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

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Clerk

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Mayor

# CITY OF HAMILTON

## SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



CHANGE IN ZONING FROM "B"(SUBURBAN  
AGRICULTURE AND RESIDENTIAL, ETC.)  
DISTRICT TO "G"(NEIGHBOURHOOD SHOPPING  
CENTRE, ETC.) DISTRICT, MODIFIED.

North



Scale

1 : 750

Reference File No.

ZA 85-13

Date

85-05-09

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Adopt:

**A REDEVELOPMENT PLAN  
FOR THE DOWNTOWN CORE AREA OF THE CITY OF HAMILTON**

WHEREAS By-law No. 83-242 received first and second reading on the 29th day of June, 1983 in accordance with subsection 22(2) of The Planning Act, R.S.O. 1980, Chapter 379 and received third reading on the 30th day of August, 1983, following the Minister's approval which was received on the 28th day of July, 1983;

AND WHEREAS subsection 22(5) of the said Planning Act is as follows:

(5) When a by-law has been passed and approved under subsection (2), the council, with the approval of the Minister, may by by-law adopt a redevelopment plan for the redevelopment area;

AND WHEREAS By-law No. 83-242 designated the Downtown Core Area of the City of Hamilton as a Redevelopment Area in accordance with subsection 22(2) of the said Planning Act;

AND WHEREAS the effect of subsections 74(1) and (3) of The Planning Act, 1983 in force on August 1, 1983, is to provide that insofar as the Redevelopment Area referred to in By-law No. 83-242 was designated prior to August 1, 1983, subsection 22(5) of The Planning Act, R.S.O. 1980, Chapter 379 shall continue to apply;

AND WHEREAS the Redevelopment Plan hereinafter referred to is in conformity with the Official Plan of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Downtown Core Area Redevelopment Plan entitled, "Downtown Hamilton Action Plan: Phase II, Re-





DOWNTOWN HAMILTON  
ACTION PLAN:

PHASE II  
REDEVELOPMENT PLAN

CORPORATION OF  
THE CITY OF HAMILTON  
1985 MAY

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## APPENDICES

- FIG. 1    STUDY AREA:  
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- 'A'       MINUTES OF THE PUBLIC MEETING OF THE PLANNING  
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          AT 7:30 O'CLOCK, P.M., SECOND FLOOR LOBBY,  
          HAMILTON CITY HALL.
- 'B'       DOWNTOWN HAMILTON ACTION PLAN - PHASE II:  
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- 'C'       DOWNTOWN HAMILTON ACTION PLAN - PHASE II:  
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- 'D'       COMMERCIAL AREA IMPROVEMENT PROGRAMME (C.A.I.P.):  
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                  FLOW (\$000).



# DOWNTOWN HAMILTON ACTION PLAN:

## PHASE II REDEVELOPMENT PLAN

### INTRODUCTION:

#### BACKGROUND AND STUDY OBJECTIVES

IN 1981, A CENTRAL AREA PLAN WAS APPROVED BY CITY COUNCIL WHICH OUTLINED A DEVELOPMENT PHILOSOPHY FOR THE DOWNTOWN AIMED AT MAKING THE AREA MORE ATTRACTIVE FOR PEDESTRIANS AND SHOPPERS BY ENCOURAGING PEDESTRIAN FACILITIES, A PLEASANT ENVIRONMENT AND, "HUMAN-SCALE" CONSIDERATIONS IN BUILDING AND DESIGN. IT WAS FELT THAT THESE FEATURES WOULD, IN TURN, ATTRACT DEVELOPMENT. THE PLAN STATES, IN THE PREAMBLE,

AN ATTRACTIVE, LIVELY, HUMAN SCALE ENVIRONMENT WITH THE PHYSICAL, SOCIAL AND HUMAN INFRASTRUCTURE IN PLACE WILL BOTH IMPROVE THE DOWNTOWN QUALITY OF LIFE, DRAW PEOPLE TO THE AREA AND THUS, ENCOURAGE THE PRIVATE SECTOR TO EXPAND THE RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SECTORS.

TO FOCUS ATTENTION ON THE DOWNTOWN CORE AND, IMPLEMENT THE GOALS OF THE CENTRAL AREA PLAN, A COMMITTEE OF BUSINESSPEOPLE, CITY AND, REGIONAL OFFICIALS FORMED THE CENTRAL AREA CO-ORDINATING AND IMPLEMENTATION LIAISON COMMITTEE (CACILC): THIS COMMITTEE MET MONTHLY TO DISCUSS WAYS AND MEANS TO IMPLEMENT DOWNTOWN IMPROVEMENTS; SET PRIORITIES; AND, DISCUSS ALTERNATIVES, ACTIONS AND PROBLEMS.

THE COMMITTEE SUBSEQUENTLY RECOMMENDED THE PREPARATION OF A DOWNTOWN MASTER PLAN - OR ACTION PLAN - TO SHOW THE DESIRED END RESULT FOR THE DOWNTOWN AREA AND, THE IMPROVEMENTS AND ALTERATIONS NECESSARY TO ACHIEVE THAT END. THE PLAN WAS TO BE ACTION-ORIENTED INASMUCH AS THE POLICY FRAMEWORK HAD ALREADY BEEN ESTABLISHED IN THE CENTRAL AREA PLAN. FURTHER, IT

(THE ACTION PLAN) WAS TO CONCENTRATE ON CHANGES TO THE EXISTING STREETScape, RATHER THAN REDEVELOPMENT OR COSTLY LARGE-SCALE IMPROVEMENTS.

THE GOALS OF THE STUDY WERE:

- (I) TO OUTLINE A DETAILED PLAN OF ACTION FOR REVITALIZING THE DOWNTOWN CORE THROUGH VARIOUS IMPROVEMENTS, ALTERATIONS AND INPUT, WITH AN EMPHASIS ON PHYSICAL IMPROVEMENTS, AS WELL AS TO MAKE RECOMMENDATIONS FOR POTENTIAL NEW MUNICIPAL REGULATIONS, PUBLIC WORKS AND, PRIVATE RENOVATIONS; AND,
- (II) TO SHOW THE END RESULT OF THOSE ACTIONS, AND THE BENEFITS ACCRUING TO THE BUSINESS-PEOPLE AND THE CITY.

THE OBJECTIVES WERE AS FOLLOWS:

- (I) THROUGH A MARKETING STUDY, DETERMINE THE BEST APPROACH TO DOWNTOWN REVITALIZATION AND ENHANCEMENT OF THE DOWNTOWN'S ROLE IN THE COMMERCIAL HIERARCHY OF THE CITY AND REGION;
- (II) TO PROVIDE AN INVENTORY OF DOWNTOWN NEEDS, OR ALTERNATIVE ACTIONS IN ORDER TO ACHIEVE THE DESIRED END RESULT;
- (III) TO EXAMINE THE COSTS AND BENEFITS OF EACH OF THOSE ALTERNATIVES;
- (IV) THROUGH A COST/BENEFIT ANALYSIS, RECOMMEND PRIORITIES FOR SHORT TERM AND LONGER TERM ACTION; AND,

- (v)      DETAIL A DOWNTOWN ACTION PLAN OR BLUEPRINT FOR REVITALIZATION WHICH WOULD OUTLINE SPECIFIC ACTIONS TO BE TAKEN - WHEN, HOW AND, BY WHOM.

BASED UPON THESE GOALS AND OBJECTIVES, DU TOIT ASSOCIATES, LTD., A FIRM OF ARCHITECTS, URBAN PLANNERS AND LANDSCAPE ARCHITECTS, WAS HIRED TO CONDUCT THE STUDY AS OUTLINED. DU TOIT ASSOCIATES COMPLEMENTED IT'S STUDY TEAM WITH THE RESEARCH DIVISION OF DESIGN INTERNATIONAL, DESIGN AND DEVELOPMENT CONSULTANTS, ALONG WITH BARTON ASCHMAN (CANADA), LTD., TO PROVIDE EXPERTISE IN THE AREAS OF MARKET RESEARCH, AND TRAFFIC AND TRANSIT PLANNING, RESPECTIVELY.

#### THE STUDY AREA

FIGURE 1. ILLUSTRATES THE STUDY AREA WITHIN THE CONTEXT OF BOTH THE CITY OF HAMILTON AND, THE DOWNTOWN CORE. IN CLOCKWISE FASHION, THE BOUNDARY IS THUS: FROM KING STREET WEST, NORTH ALONG THE FORMER ALIGNMENT OF PARK STREET TO YORK BOULEVARD; EAST ON YORK BOULEVARD TO MACNAB STREET; NORTH ON MACNAB STREET TO VINE STREET; EAST ON VINE STREET TO, APPROXIMATELY, THE REAR PROPERTY LINES ON THE EAST SIDE OF JAMES STREET; SOUTH, ACROSS REBECCA TO, APPROXIMATELY, THE REAR PROPERTY LINES ON THE NORTH SIDE OF KING WILLIAM STREET; EAST ON KING WILLIAM STREET TO, APPROXIMATELY, THE REAR OF THE PROPERTY AT THE NORTH-EAST INTERSECTION OF MARY AND KING WILLIAM STREETS; SOUTH TO KING WILLIAM STREET; EAST AGAIN ON KING WILLIAM STREET TO WELLINGTON STREET; SOUTH ON WELLINGTON STREET TO MAIN STREET; WEST ON MAIN STREET TO MACNAB STREET; NORTH ON MACNAB STREET TO KING STREET; AND, WEST ON KING STREET TO THE POINT OF COMMENCEMENT.



## THE WORK PROGRAMME AND REPORT STRUCTURE

THE WORK PROGRAMME OF THE CONSULTANT STARTED WITH THE STATEMENT OF A GENERAL PROBLEM, FOLLOWED BY A DETAILED INVESTIGATION OF THE SPECIFIC PROBLEMS, RELATING THREE COMPONENT PARTS OF THE STUDY (I.E., MARKETING AND RETAIL; TRAFFIC AND TRANSIT; AND, STREETSCAPING). ISSUES RAISED IN THE CONTEXT OF THESE THREE COMPONENTS WERE THEN ESTABLISHED, FOLLOWED BY A SERIES OF SUGGESTED SOLUTIONS INTENDED TO RESOLVE THOSE ISSUES. WITHIN THE RANGE OF SUGGESTED SOLUTIONS, VARIOUS OPTIONS WERE EXPLORED WHICH THEN REQUIRED A COST/BENEFIT ANALYSIS BEFORE AN APPROPRIATE SELECTION COULD BE MADE.

THE COST/BENEFIT ANALYSIS, AS CONDUCTED BY DU TOIT ASSOCIATES, LTD., WAS, ESSENTIALLY, THE GRADING OF VARIOUS OPTIONS WITH RESPECT TO BENEFITS PERCEIVED TO BE GAINED BY EFFECTED PUBLIC USER GROUPS VIS-A-VIS THE PUBLIC COSTS INVOLVED. BASED UPON THIS ANALYSIS, INITIAL RECOMMENDATIONS WERE MADE BY THE CONSULTANT TEAM, FOLLOWED BY COMMENTS FROM VARIOUS INTEREST GROUPS; COMMENTS WERE RECORDED AND, AN ATTEMPT TO BALANCE THE CONCERNS EXPRESSED, WITHIN THE CONTEXT OF THE ORIGINAL RECOMMENDATIONS, FORMED THE BASIS FOR THE RECOMMENDED PLAN OF ACTION.

TWO PUBLIC MEETINGS WERE HELD BY THE CONSULTANT TO INFORM THE GENERAL PUBLIC AS TO THE PROGRESS OF THE STUDY: THE FIRST MEETING PRESENTED THE PROBLEMS, ISSUES AND OPTIONAL SOLUTIONS AND, THE SECOND PRESENTED THE OPTIONAL SOLUTIONS COMBINED WITH A COST/BENEFIT ANALYSIS AND INITIAL RECOMMENDATIONS. AT BOTH MEETINGS, THE CONSULTANT INVITED THE PUBLIC TO RESPOND BOTH AT THE MEETING AND, IN WRITING. COMMENTS WERE TAKEN UNDER ADVISEMENT BY THE CONSULTANT AND APPLIED TO THE SUBSEQUENT STAGES OF THE STUDY PROCESS.

IT IS TO BE NOTED THAT THE STUDY OBJECTIVES CALLED, IN THE FIRST STEP, TO DETERMINE THE BEST APPROACH TO DOWNTOWN REVITALIZATION AND, ENHANCEMENT OF THE DOWNTOWN'S ROLE IN THE COMMERCIAL HIERARCHY OF THE CITY AND REGION THROUGH A MARKETING STUDY. WHILE RECOGNIZING THE FUNDAMENTAL BACKBONE OF THE MARKETING ASPECT, IT WAS THE BELIEF OF DU TOIT ASSOCIATES LTD., THAT BOTH THE PROBLEMS AND SOLUTIONS ARE DEPENDENT UPON THE INTER-RELATIONSHIP BETWEEN TRAFFIC AND TRANSIT PLANNING; THE STREETScape DESIGN; AND A MARKETING STRATEGY. WITH THAT IN MIND, THE CONSULTANT APPROACHED THE STUDY WITH EQUAL EMPHASIS IN EACH OF THESE THREE AREAS, WITH A VIEW TO BALANCING ALL OF THE INTER-RELATED CONCERNS.

## PROPOSED ACTION PLAN SOLUTIONS

### INTRODUCTION:

IN THE AREAS OF MARKETING/RETAIL AND, VEHICULAR CIRCULATION, THE CONSULTANT MADE SPECIFIC RECOMMENDATIONS WHICH FORM PART OF THE DOWNTOWN HAMILTON ACTION PLAN, AS SUBSEQUENTLY RECEIVED BY CITY COUNCIL AT IT'S MEETING HELD 1983 JANUARY 11; WHICH ACTION PLAN SERVES AS THE PRIMARY BACKGROUND DOCUMENT TO GUIDE IMPLEMENTATION OF ALL PHASES OF THE PLAN. AS EACH OF THE FOUR PHASES COMES ON-STREAM, COUNCIL IS REQUESTED TO APPROVE, IN PRINCIPLE, THE PRIMARY RECOMMENDATIONS AS CONTAINED IN THE PLAN AND, SUBSEQUENTLY, DETAILED CONCEPTS AND DESIGNS ARE PREPARED FOR IMPLEMENTATION. TO DATE, THIS PROCEDURE HAS BEEN FOLLOWED FOR PHASES I AND II AND, IS IN PROCESS FOR PHASE III.

MOST PERTINENT TO THOSE CAPITAL WORKS WHICH COULD REASONABLY, AND LEGITIMATELY FALL WITHIN THE PURVIEW OF MUNICIPAL ACTION AND, COINCIDENTALLY, RELATIVE TO THE PROVISIONS OF THE PROVINCIAL, COMMERCIAL AREA IMPROVEMENT PROGRAMME (C.A.I.P.), THE CONSULTANT'S OBSERVATIONS AND RECOMMENDATIONS IN RESPECT OF STREETScape IMPROVEMENT - INCLUDING, AS THEY DO, COMMENTS IMPACTING UPON TRAFFIC/TRANSIT AND, MARKETING/RETAIL ISSUES BEAR HIGH-LIGHTING IN THE REDEVELOPMENT PLAN.

## STREETScape

THE FOLLOWING ARE A SERIES OF POTENTIAL ACTION PLAN SOLUTIONS:

### A) PEDESTRIAN LINKAGES

TO MAKE THE USE OF THE STUDY AREA MORE CONVENIENT FOR THE PEDESTRIAN, IT IS SUGGESTED THAT THE FOLLOWING LINKAGES BE IMPROVED:

- ACCESS AND EGRESS TO, AND FROM PARKING LOTS.
- STREETS WHICH CONNECT PARKING LOTS TO SHOPPING AREAS.
- ALLEYWAYS WHICH CONNECT PARKING AREAS TO SHOPPING AREAS OR REAR ENTRIES OF STORES.
- THROUGH BUILDING CONNECTIONS.
- ACROSS TRAFFIC INTERSECTIONS.
- BETWEEN MAJOR PEDESTRIAN FEATURES.

THESE LINKAGES MAY BE SUPPORTED, AND FACILITATED BY:

- WELL MARKED PEDESTRIAN ACCESS POINTS TO PARKING LOTS WHICH ARE LANDSCAPED AND, POSSIBLY, PROVIDING A SMALL SITTING AREA.



A) PEDESTRIAN LINKAGES (CONTINUED)

- UNIFORMLY STREETSCAPING CONNECTING STREETS. THIS SUGGESTS THE USE OF SPECIAL PAVING, PEDESTRIAN-SCALE LIGHTING AND, A PROGRAMME OF STREET TREE PLANTING AS WELL AS ANCILLARY "FURNITURE" ITEMS (E.G., BENCHES, LITTER CONTAINERS, DIRECTIONAL KIOSKS, BICYCLE RACKS, ETC.).
- CLEANING UP ALLEYWAYS TO THE EXTENT THAT PEDESTRIANS FEEL COMFORTABLE AND SECURE USING THEM. THIS MAY BE ACCOMPLISHED BY PROVIDING SPECIAL PAVING WHICH DENOTES THAT THE PEDESTRIAN HAS A RIGHT TO BE TRAVELLING THROUGH AN ALLEY AS WELL AS SERVICE AND DELIVERY VEHICLES, ETC. IN ADDITION, LIGHTING, SIGNAGE AND, THE IMPROVEMENT OF REAR FAÇADES OF BUSINESSES WOULD SUPPORT THIS.
- ACCESS THROUGH BUILDINGS FROM BACK TO FRONT WHERE FEASIBLE. THIS WOULD REQUIRE THAT REAR ENTRIES TO STORES AND BUSINESSES BE PROVIDED THAT ARE WELL MARKED TO THE PEDESTRIAN.
- PEDESTRIAN CROSSINGS AT INTERSECTIONS SHOULD BE AS SHORT AS POSSIBLE, FACILITATED BY WIDENED SIDEWALKS AT INTERSECTIONS AND A SPECIAL PAVING TREATMENT DENOTING THE AREA WHERE THE PEDESTRIAN MAY CROSS THE ROAD.

B) PEDESTRIANIZATION

TO THE EXTENT THAT IT IS FEASIBLE CONSIDERING TRAFFIC AND TRANSIT REQUIREMENTS, ALL ACTIONS POSSIBLE WILL BE UNDERTAKEN TO MAKE THE PEDESTRIAN FEEL MORE COMFORTABLE AND IN PRIORITY IN THE HEART OF THE SHOPPING AREA. THIS SHALL BE ACCOMPLISHED THROUGH, THOUGH NOT NECESSARILY LIMITED TO THE FOLLOWING TECHNIQUES:

B) PEDESTRIANIZATION (CONTINUED)

- WIDENED SIDEWALKS WHERE POSSIBLE.
- ACCOMODATION OF PEDESTRIANS IN ZONES WHEREIN VEHICULAR AND PEDESTRIAN TRAFFIC ARE SHARED. THIS MAY BE ACCOMPLISHED BY SPECIAL PAVING TREATMENT, THE USE OF BOLLARDS AND, SIGNAGE.
- WHERE THE TRANSIT MALL EXISTS, THE PAVED SURFACES ON THE MALL SHOULD BE OF A TYPE SIMILAR TO THE SIDEWALK AREAS, CREATING AN IMPRESSION THAT THE SPACE IS ALSO A PEDESTRIAN ZONE.
- DECORATIVE PAVING IN VEHICULAR AREAS PROVIDES THE IMPRESSION OF PEDESTRIAN PRIORITY WITHOUT CONSTRAINING THE VEHICULAR FUNCTION.

C) STREETSCAPING TREATMENT

A CO-ORDINATED SYSTEM FOR STREETSCAPE TREATMENT SHALL BE IMPLEMENTED, INCORPORATING THE USE OF SPECIAL PAVING, TREE PLANTING, SEATING, LITTER CONTAINERS, BICYCLE RACKS, PEDESTRIAN-SCALE LIGHTING, BOLLARDS, ETC. THERE WILL BE THE LIKELY REQUIREMENT OF DISTINCTION BETWEEN TREATMENTS IN DIFFERENT AREAS.

SIX (6) DIFFERENT, GENERALIZED TREATMENT TYPES WERE DEVELOPED WHICH CORRESPOND TO VARYING SITE CONDITIONS OUTSIDE THE GORE PARK AREA. THEY ARE AS FOLLOWS:

c) STREETSCAPING TREATMENT (CONTINUED)

I SPECIAL TREATMENT INCLUDES:

- SELECTIVELY WIDENED SIDEWALKS WITH PROVISION FOR LOADING, BUS STOPS AND, SAFETY TURNING LANES.
- NEW, DECORATIVE SIDEWALK PAVING.
- TREE PLANTING.
- PEDESTRIAN SCALE LIGHTING WITH BANNERS ON POLES.
- BENCHES AND LITTER CONTAINERS.
- INFORMATIONAL KIOSKS.
- SUFFICIENT AREA FOR SIDEWALK CAFÉS AND SALES.
- BOLLARDS TO DEFINE PEDESTRIAN AREAS.
- SPECIAL USE AREAS WHERE PEDESTRIAN SPACE PERMITS (I.E., TOURIST, SHOPPER DISPLAYS).

THIS TYPE OF TREATMENT IS FOR STREETS WITH CONTINUOUS RETAIL FRONTAGE, WHERE SIDEWALKS MAY BE WIDENED, AND WAS IMPLEMENTED ON BOTH SIDES OF KING STREET EAST, BETWEEN JAMES AND MARY STREETS, AS PHASE I OF THE DOWNTOWN HAMILTON ACTION PLAN.

II TYPICAL TREATMENT INCLUDES:

- NEW, DECORATIVE SIDEWALK PAVING.
- TREE PLANTING.
- PEDESTRIAN SCALE LIGHTING WITH BANNERS ON POLES.



c) STREETSCAPING TREATMENT (CONTINUED)

II TYPICAL TREATMENT (CONTINUED)

- BENCHES AND LITTER CONTAINERS.

THIS TYPE OF TREATMENT IS FOR STREETS WITHIN THE STUDY AREA HAVING CONTINUOUS RETAIL FRONTAGE, AND IS TO BE UTILIZED IN PHASE II FOR JAMES STREET, BETWEEN MAIN STREET AND VINE STREET; KING WILLIAM STREET BETWEEN JAMES AND JOHN STREETS; AND, KING STREET EAST, BETWEEN MARY AND WELLINGTON STREETS.

III PARTIAL TREATMENT INCLUDES:

- TREE PLANTING
- BANNERS ON EXISTING LAMP POLES
- BENCHES AND LITTER CONTAINERS.

THIS TYPE OF TREATMENT IS FOR STREETS WITH DISCONTINUOUS RETAIL FRONTAGE OR, WHERE NO BUILDINGS OCCUR AT ALL (I.E., VACANT LOTS, PARKING LOTS, ETC.), AND WILL BE UTILIZED ON ALL OTHER STREETS WITHIN THE ENTIRE STUDY AREA AS PART OF THE PHASE III IMPROVEMENTS. ON HUGHSON STREET, BETWEEN KING AND KING WILLIAM STREETS, AND, ON JOHN STREET, BETWEEN MAIN AND KING WILLIAM STREETS, THE BALANCE OF PHASE III WILL BE IN TYPICAL TREATMENT. DIFFERENCES WITHIN EACH TREATMENT TYPE, TO REFLECT A THEMATIC CHANGE WITHIN THE STUDY AREA, WILL VARY BY WAY OF BANNER DESIGN (I.E., 'DOWNTOWN PROMENADE' B.I.A., JAMES STREET, KING WILLIAM, 'INTERNATIONAL VILLAGE'.).

IV BUFFER TREATMENT INCLUDES:

- TREE AND SHRUB PLANTING ALONG PARKING FRONTAGES.

THIS TYPE OF TREATMENT IS RECOMMENDED FOR USE ADJACENT TO ALL PARKING LOTS AND MAY BE USED IN CONJUNCTION WITH THE ABOVE THREE TREATMENTS.

APPOINTMENT OF  
DESIGN CONSULTANTS (CONTINUED)

BE RETAINED TO UNDERTAKE THE DESIGN, CONTRACT PREPARATION, AND CONSTRUCTION SUPERVISION OF THE PHASE II EXTENSION OF THE DOWNTOWN HAMILTON ACTION PLAN, IN ACCORDANCE WITH THEIR (THE ARCHITECT'S) WRITTEN PROPOSAL DATED 1984 DECEMBER 20, AS AMENDED BY FURTHER PROPOSAL DATED 1985 JANUARY 10, OUTLINING PREVIOUS EXPERIENCE RELATIVE TO SUCH MATTERS, FEES, ASSIGNED STAFF AND AN IMPLEMENTATION SCHEDULE FOR THIS PROJECT.

THE SECOND PHASE BEING AN EXTENSION OF THE FIRST AND, IN ORDER TO PROVIDE CONTINUITY THROUGHOUT, IT WAS BOTH LOGICAL AND REASONABLE TO FURTHER RETAIN THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY.

STUDY APPROACH

FROM THEIR MOST RECENT APPOINTMENT BY CITY COUNCIL (I.E., 1985 FEBRUARY 19) UP TO, AND INCLUDING THE PRESENT, THE CONSULTANT HAS UTILIZED THE FOLLOWING, BASIC STUDY APPROACH:

- BASED ON THE GENERAL, CONCEPTUAL FRAMEWORK OF THE DOWNTOWN HAMILTON ACTION PLAN, DU TOIT ASSOCIATES LTD.; SUBSEQUENT AND ONGOING STUDIES (E.G., PUBLIC TRANSIT AND, TRAFFIC-RELATED); AND, A THOROUGH UNDERSTANDING OF THE SPECIFIC CONCERNS OF BOTH THE BROADER, AND IMMEDIATE COMMUNITY, SKETCH CONCEPT PLANS WERE PREPARED FOR THE THREE BASIC STREET AREAS. THESE CONCEPT PLANS WERE SUITABLE FOR INTERNAL, TECHNICAL DISCUSSION AND, WITH BASIC REFINEMENT, SUITABLE FOR PRESENTATION TO

THE PUBLIC. MEETINGS WERE HELD WITH BUSINESSPEOPLE FROM ALL AREAS, AS WELL AS BI-WEEKLY WITH THE DOWNTOWN ACTION PLAN CO-ORDINATING COMMITTEE OF THE PLANNING AND DEVELOPMENT COMMITTEE.

- IN ADDITION TO APPRECIATING THE NEEDS AND SENSITIVITIES OF EFFECTED BUSINESSES AND OWNERS, IT HAS BEEN CRITICAL TO UNDERSTAND THE IMPLICATIONS OF STREET AND UTILITY UPGRADING, AND TO LIAISE WITH APPROPRIATE MUNICIPAL STAFF.

- SPECIFICALLY, THE SCOPE OF THE WORK GENERALLY INCLUDES:

CHANGES TO CURB ALIGNMENTS AS APPROPRIATE AND ACCEPTABLE.

SIDEWALK PAVING AND DESIGN.

PEDESTRIAN-SCALE LIGHTING.

STREET FURNITURE (BENCHES, LITTER CONTAINERS, BICYCLE RACKS, INFORMATION KIOSKS, ETC.).

DESIGNATION OF CAFÉ AND/OR SIDEWALK SALES AREAS.

SPECIAL USE AREAS.

TREE PLANTING.

BANNERS AND GRAPHICS  
(IF, AND AS APPROPRIATE).

OTHER APPROPRIATE SITE FEATURES.



- THE REVIEW PROCESS WITH STAFF AND PUBLIC INPUT TO CULMINATE WITH AN ACCEPTABLE, DETAIL DESIGN PLAN INDICATING AGREED UPON ARRANGEMENT OF THE ABOVE CONSIDERATIONS.
- SUBSEQUENTLY, PURSUANT TO PRESENTATION TO THE PLANNING AND DEVELOPMENT COMMITTEE OF CITY COUNCIL, THE DETAILED DESIGN PLANS TO BE PRESENTED TO A PUBLIC MEETING AND, SUBSEQUENT TO FURTHER REVIEW BY THE COMMITTEE, SUBMITTED TO CITY COUNCIL FOR APPROVAL.
- THE ACCEPTED DESIGN PLAN TO BE DEVELOPED INTO IMPLEMENTATION DRAWINGS, SUITABLE FOR TENDERING, WITH FULL CO-ORDINATION RELATED TO MUNICIPAL LIGHTING, AND UTILITY REQUIREMENTS.

AT A MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE, HELD THE EVENING OF 1985 APRIL 17, THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY PRESENTED THE DETAILED DESIGN PLANS TO THE GENERAL PUBLIC FOR COMMENT: MINUTES OF THAT PUBLIC MEETING ARE APPENDED, HERETO, AS APPENDIX 'A'.

SUBSEQUENTLY, AT A SPECIAL MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE, HELD 1985 APRIL 30, THE FINAL CONCEPT PLANS FOR PHASE II, DATED THAT SAME DATE, WERE APPROVED AND, LATER THAT SAME DATE, IN ADOPTING SECTION 4., THE THIRTEENTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, CITY COUNCIL CONCURRED...

- '(A) THAT THE CONCEPT PLAN PREPARED BY MOORHEAD FLEMING CORBAN MCCARTHY, LANDSCAPE ARCHITECTS, DATED 1985 APRIL 30, FOR THE PHASE II STREET-SCAPE OF THE DOWNTOWN HAMILTON ACTION PLAN, ATTACHED HERETO AS APPENDIX "B" BE APPROVED; AND,

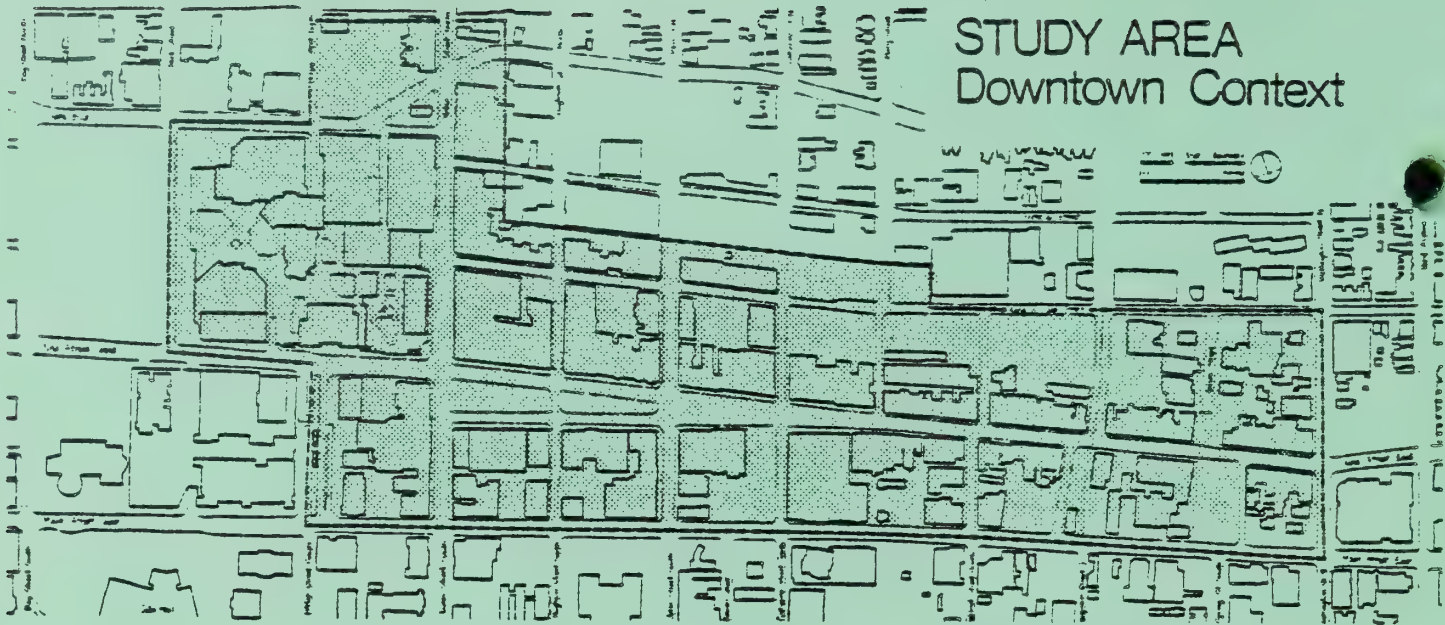
- (B) THAT THE WORKING DRAWINGS FOR THE PHASE II STREETScape BE SUBMITTED TO THE PLANNING AND DEVELOPMENT COMMITTEE FOR APPROVAL PRIOR TO TENDERING.'

FURTHER APPENDED HERETO, AS APPENDIX "C", IS THE 'STREETScape PHASE II COST ESTIMATE', DATED 1985 MARCH 27, AS REVISED 1985 APRIL 30, EXCLUDING MUNICIPAL ADMINISTRATION COSTS AND CONSULTANT'S DESIGN FEES.

CITY COUNCIL, AT IT'S MEETING HELD 1985 MAY 14, IN ADOPTING SECTION 17., THE FOURTEENTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, FURTHER APPROVED THE RETENTION OF MOORHEAD FLEMING CORBAN MCCARTHY TO CARRY OUT THE DESIGN OF THE FIVE (5) 'GATEWAYS', TO BE CO-ORDINATED WITH THE STREET-SCAPE DESIGN. AT SUCH TIME AS THE DESIGN IS COMPLETE, AND APPROVED BY CITY COUNCIL, THIS PART OF PHASE II (I.E., THE "GATEWAYS") WILL BE DEALT WITH AS AN APPENDIX TO THIS REDEVELOPMENT PLAN.



# STUDY AREA Downtown Context



## Municipal Context



Fig. 1



Wednesday, 1985 April 17  
7:30 o'clock p.m.  
Second Floor Lobby, City Hall

**The Planning and Development Committee met**

There were present: Alderman W. M. McCulloch, Chairman  
Mayor R. M. Morrow  
Alderman T. Murray

Also present: Alderman B. Hinkley, Chairman, Parks and Recreation  
Committee  
Alderman J. A. Bethune, Chairman, Downtown Action Plan  
Co-ordinating Committee  
Mr. E. Kowalski, Director of Community Development  
Mr. E. M. Gill, Traffic Planning Engineer  
Mr. G. Godley, Manager, Neighbourhood and Area Plans'  
Section, Planning Department  
Mr. Steve Moorhead Moorhead Fleming  
Mr. Frank Basciano Corban and  
and Mr. P. Smith McCarthy  
Mr. J. D. Thompson, Secretary

A public meeting of the Planning and Development Committee was held to present draft plans for Phase II of the Downtown Action Plan.

Mr. Steve Moorhead presented the concept plan and slides for the Phase II Streetscape of the Downtown Hamilton Action Plan which includes King Street West from Mary to Wellington, James Street from Main to Vine, and King William Street from James to John.

With respect to the basic reconstruction schedule, Mr. Moorhead explained that the City would like to go to tender in May and start construction in June with a projected completion date in September. In order to avoid business interruption, the contractor will be instructed that no area is to be under construction for a prolonged period of time - i.e. 1 week to 10 days. Barring unforeseen conditions, such as inclement weather, specifications will be very specific in respect of staging of reconstruction.

During the question and answer period, Mr. Wasserman expressed concern over the type of tree grates to be used in the reconstruction program. He felt that they should be upgraded. He also submitted that each business district should be allowed to have input in respect of the colour and pattern of the brick paving stones to be used in the sidewalk reconstruction. The following suggestions were also submitted by merchants: use the same pattern of pavers on King Street as proposed for King William Street; erect signs informing the general public of the period of reconstruction; merchants on James Street want as much on-street parking as possible.

Following the general question and answer period, the Chairman stated that the various comments and suggestions will be taken under advisement and that written submissions from property owners or other interested persons must be received by 1985 April 28.

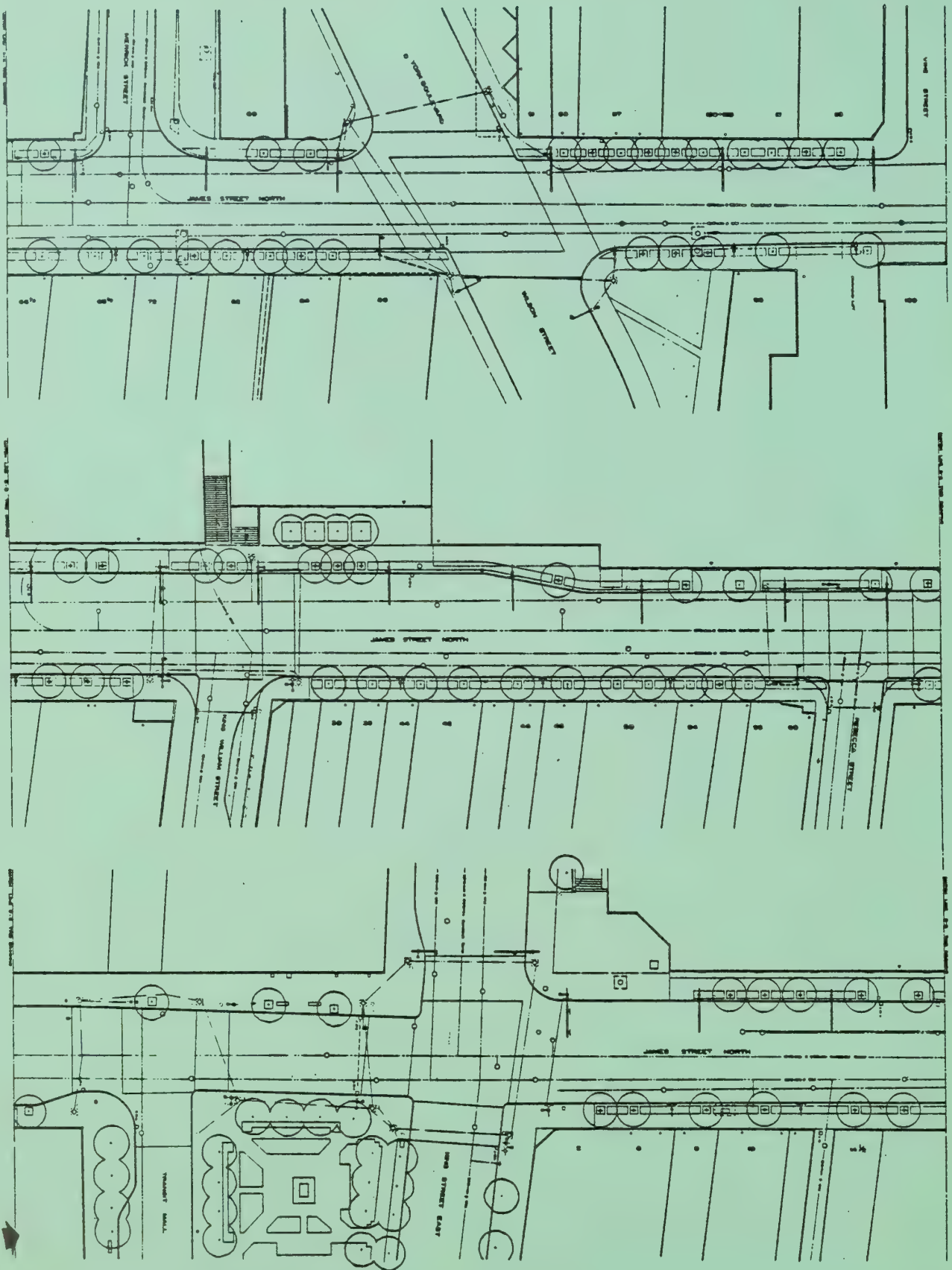
**The meeting then adjourned**

Taken as read and approved,

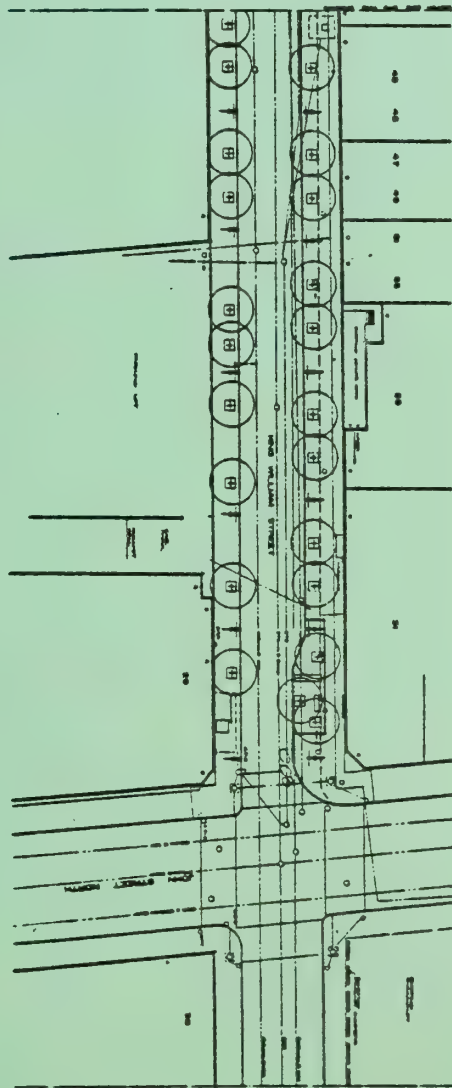
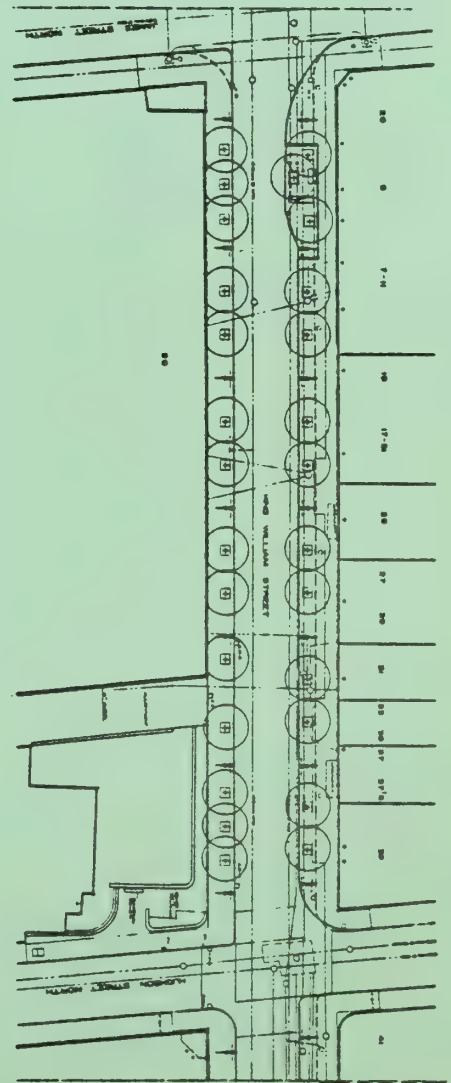
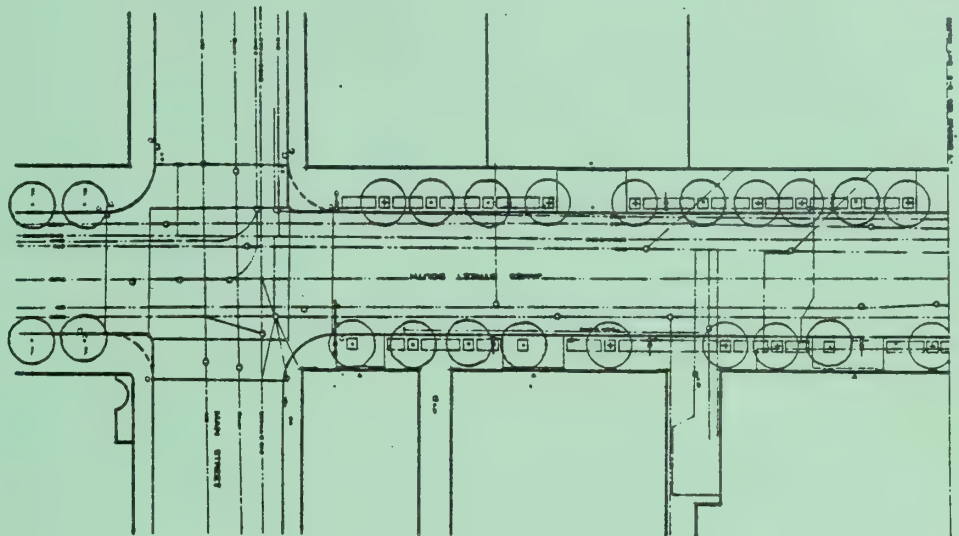
John D. Thompson, Secretary  
Planning and Development Committee  
1985 April 17

Alderman W. M. McCulloch, Chairman  
Planning and Development Committee

Typed by M. J. Walton



<p><b>NOTES:</b></p> <p>1. All dimensions are in feet and inches.</p> <p>2. All dimensions are to the centerline of the street.</p> <p>3. All dimensions are to the centerline of the sidewalk.</p> <p>4. All dimensions are to the centerline of the building footprint.</p> <p>5. All dimensions are to the centerline of the tree.</p>	
<p><b>REVISIONS:</b></p> <p>1. All dimensions are in feet and inches.</p> <p>2. All dimensions are to the centerline of the street.</p> <p>3. All dimensions are to the centerline of the sidewalk.</p> <p>4. All dimensions are to the centerline of the building footprint.</p> <p>5. All dimensions are to the centerline of the tree.</p>	
<p><b>PROJECT INFORMATION:</b></p> <p>Project Name: Downtown Hamilton Action Plan Streetscape Phase II</p> <p>Project No: 2000-0000</p> <p>Project Date: April 20, 2000</p> <p>Project File: 2000-0000</p> <p>Project Status: In Progress</p>	
<p><b>APPENDIX B:</b></p> <p>Appendix B: Streetscape Phase II</p> <p>Appendix B: Streetscape Phase II</p> <p>Appendix B: Streetscape Phase II</p>	



NO.	REVISIONS	DATE

**McGOWAN**  
**CHURCH**  
**WILKINSON**

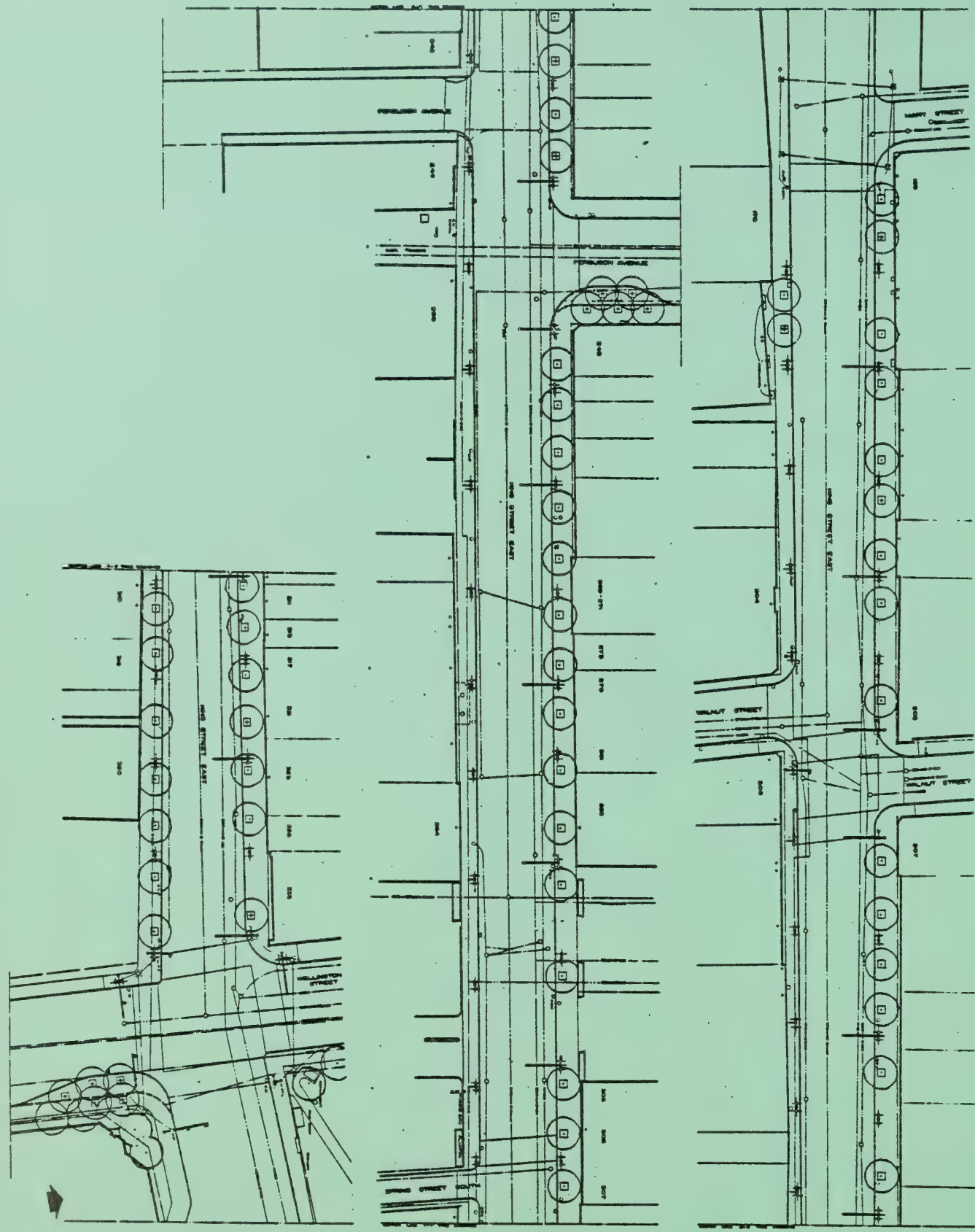
McGOWAN  
 22 South Street  
 Hamilton, Ontario  
 L8N 2K5

**Downtown Hamilton  
 Action Plan  
 Streetscape  
 Phase II**

Prepared by: J. J. J. J. J.  
 Date: April 1, 1990  
 Drawn by: J. J. J. J. J.  
 Checked by: J. J. J. J. J.  
 Approved by: J. J. J. J. J.

L-5





NO.	DESCRIPTION	DATE

**MOOREHEAD CONSULTING**  
 25 Bloor Street  
 Suite 200  
 Toronto, Ontario  
 M5G 1B5  
 Tel: (416) 593-8200

**Downtown Hamilton  
 Streetscape  
 Phase II**  
 Hamilton, Ontario  
 LANCUTY P.L.L.C.  
 Scale: 1:500  
 Date: April 30, 2006  
 Drawn: [Name]  
 Project No: 0013  
 Client: Project 100  
 Drawing No: [Number]

L-6

DOWNTOWN HAMILTON ACTION PLAN  
STREETSCAPE PHASE II  
COST ESTIMATE  
March 27, 1985  
April 30, 1985 (Revised)

Description	Quantity	Unit	Unit Cost	Total Cost
<b>KING WILLIAM STREET</b>				
<u>Demolition</u>				
1. Asphalt Scarification	1575	m <sup>2</sup>	\$ 1.00	\$ 1,575.00
2. Curb	485	m	5.50	2,668.00
3. Sidewalk	1290	m <sup>2</sup>	13.00	16,770.00
4. Asphalt	560	m <sup>2</sup>	6.00	3,360.00
5. Electrical Poles	9	each	400.00	3,600.00
<u>New Work</u>				
1. Curb	480	m	35.00	16,800.00
2. Sidewalk	1730	m <sup>2</sup>	50.00	86,500.00
3. Crossings	150	m	35.00	5,250.00
4. Trees complete with grates	56	each	750.00	42,000.00
5. Light Poles	28	each	3,200.00	89,600.00
6. Road Resurface (75mm)	1575	m <sup>2</sup>	9.00	14,175.00
7. Concrete Road Base	290	m <sup>2</sup>	20.00	5,800.00
8. CB Relocation	4	each	1,500.00	6,000.00
9. Miscellaneous			Lump Sum	12,000.00
				<hr/>
				\$ 306,098.00
<b>JAMES STREET</b>				
<u>Demolition</u>				
1. Asphalt Removal/saw cut	897	m <sup>2</sup>	6.00	5,382.00
2. Curb	720	m	5.50	3,960.00
3. Sidewalk	2714	m <sup>2</sup>	13.00	35,282.00
4. Electrical Poles	49	each	400.00	19,600.00
<u>New Work</u>				
1. Curb	720	m	35.00	25,200.00
2. Asphalt Repairs	432	m <sup>2</sup>	40.00	17,280.00
3. Sidewalk	2714	m <sup>2</sup>	38.00	103,132.00
4. Crossings	720	m <sup>2</sup>	35.00	25,200.00
5. Light Poles	22	each	3,200.00	70,400.00
6. Traffic Poles	10	each	5,600.00	56,000.00
7. Trolley Poles	18	each	4,600.00	82,800.00
8. Trees	38	each	500.00	19,000.00
9. Miscellaneous			Lump Sum	17,000.00
				<hr/>
				\$ 480,236.00

DOWNTOWN HAMILTON ACTION PLAN  
STREETSCAPE PHASE II  
COST ESTIMATE  
March 27, 1985  
April 30, 1985 (Revised)

Page 2.

Description	Quantity	Unit	Unit Cost	Total Cost
<b>KING STREET</b>				
<u>Demolition</u>				
1. Asphalt	1100	m <sup>2</sup>	6.00	6,600.00
2. Curb	875	m	5.50	4,813.00
3. Sidewalk	2750	m <sup>2</sup>	13.00	35,750.00
4. Electrical Poles	37	each	400.00	14,800.00
5. Miscellaneous			Lump Sum	5,000.00
<u>New Work</u>				
1. Asphalt	534	m <sup>2</sup>	15.00	8,010.00
2. Curb	875	m	35.00	30,625.00
3. Sidewalk	2650	m <sup>2</sup>	45.00	119,250.00
4. Crosswalk	560	m <sup>2</sup>	35.00	19,600.00
5. Trees complete with Grates	13	each	750.00	9,750.00
6. Grates	43	each	250.00	10,750.00
7. Traffic Poles	5	each	5,600.00	28,000.00
8. Light Poles	40	each	3,200.00	128,000.00
9. Trolley Poles	17	each	4,600.00	78,200.00
10. Miscellaneous			Lump Sum	20,000.00
				<u>\$ 519,148.00</u>

SUMMARY

KING WILLIAM STREET	\$ 306,098.00
JAMES STREET	480,236.00
KING STREET	519,148.00
	<u>\$1,305,482.00</u>
Contingency	100,000.00
	<u>\$1,405,482.00</u>

**POSSIBLE OPTIONS**

	Qty.	Unit	Unit Cost	Total
1. Metal in lieu of concrete tree grates (extra)	104	each	\$ 500	\$52,000 Extra
2. Bring pavers up to tree with collar on King Street	104	each	(\$ 185)	(\$19,240) Credit
3. Victorian fixture in lieu of clear spheres on King St. East	120	each	\$ 200	\$24,000 Extra



COMMERCIAL AREA IMPROVEMENT  
PROGRAMME:

PROVINCIAL/MUNICIPAL COST-SHARING

CITY COUNCIL, AT ITS MEETING HELD 1984 MAY 29, IN ADOPTING SECTION 7., THE TENTH REPORT FOR 1984 OF THE PLANNING AND DEVELOPMENT COMMITTEE, AUTHORIZED THAT AN APPLICATION BE MADE TO THE MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING SEEKING FINANCIAL ASSISTANCE, PURSUANT TO THE PROVISIONS OF THE COMMERCIAL AREA IMPROVEMENT PROGRAMME (C.A.I.P.), IN THE IMPLEMENTATION OF PHASE II OF THE DOWNTOWN HAMILTON ACTION PLAN. SUBSEQUENTLY, BY LETTER DATED 1984 OCTOBER 10, THE THEN MINISTER OF MUNICIPAL AFFAIRS AND HOUSING, THE HONOURABLE CLAUDE F. BENNETT, ADVISED THAT THE REVIEW OF MUNICIPAL APPLICATIONS FOR FUNDING FOR THE 1984-85 FISCAL YEAR HAD BEEN COMPLETED AND, THAT THE CITY OF HAMILTON HAD BEEN ALLOCATED TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$275 000) BY THE PROVINCE OF ONTARIO.

IN ADDITION, WITH THE DECISION OF CITY COUNCIL TO INCLUDE, IN THE 1985-1989 CAPITAL BUDGET, PROVISION TO IMPLEMENT PHASE III OF THE DOWNTOWN HAMILTON ACTION PLAN, CITY COUNCIL, AT ITS MEETING HELD 1985 FEBRUARY 26, IN ADOPTING SUB-SECTION (D), SECTION 14., THE FOURTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, AUTHORIZED AND DIRECTED THAT A FURTHER APPLICATION BE MADE, TO THE MINISTRY, SEEKING FINANCIAL ASSISTANCE. SUBSEQUENTLY, BY LETTER DATED 1985 APRIL 19, THE HONOURABLE DENNIS R. TIMBRELL, MINISTER OF MUNICIPAL AFFAIRS AND HOUSING ADVISED THAT, PURSUANT TO THE REVIEW OF MUNICIPAL APPLICATIONS FOR FUNDING FOR THE 1985-86 FISCAL YEAR, THE CITY OF HAMILTON HAD BEEN ALLOCATED AN ADDITIONAL FOUR HUNDRED THOUSAND DOLLARS (\$400 000) PURSUANT TO THE PROVISIONS OF THE C.A.I.P.

SCHEDULES I AND II OF THIS APPENDIX PROVIDE, RESPECTIVELY, 'ITEMIZED COST ESTIMATES' AND, A 'CAIP PROJECT IMPLEMENTATION TIMETABLE AND ESTIMATE OF CASH FLOW', FOR PHASE II ONLY, BASED UPON THE PROVINCIAL ALLOCATION (I.E., \$275 000). CONSEQUENTLY, THE SCHEDULES REFLECT A GROSS PROJECT COST OF ONLY FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550 000), FOR PROVINCIAL ADMINISTRATIVE PURPOSES ONLY. AT SUCH TIME AS CITY COUNCIL APPROVES THE CONCEPTIONAL DESIGN AND COST ESTIMATES FOR STAGE I OF PHASE III (I.E., THE "GATEWAY TREATMENT" AT FIVE MAJOR, ENTRY INTERSECTIONS), FOR IMPLEMENTATION THIS YEAR (I.E., 1985), FURTHER SCHEDULES WILL BE PROVIDED FOR THIS APPENDIX INDICATING BOTH THE ITEMIZED COST ESTIMATES AND, AN IMPLEMENTATION TIMETABLE AND CASH FLOW ESTIMATE RELATIVE TO A GROSS, PHASE III COST OF EIGHT HUNDRED THOUSAND DOLLARS (\$800 000).

## ITEMIZED COST ESTIMATES

PROJECT DETAILS	Cost Estimate	Municipal Share (50%)	Provincial Share (50%)		
			Loan	Grant	Total
<u>KING WILLIAM STREET: NEW WORK</u>					
1. Pedestrian Scale Lighting	89 600	44 800		44 800	44 800
2. Trees, c/w Grates	42 000	21 000	21 000		21 000
3. Sidewalk	86 500	43 250	43 250		43 250
<u>JAMES STREET: NEW WORK</u>					
1. Pedestrian Scale Lighting	70 400	35 200	23 425	11 775	35 200
2. Trees	19 000	9 500	9 500		9 500
3. Sidewalk	17 375	8 687.50	8 687.50		8 687.50
<u>KING STREET EAST: NEW WORK</u>					
1. Pedestrian Scale Lighting	128 000	64 000	64 000		64 000
2. Trees, c/w Grates	9 750	4 875	4 875		4 875
3. Sidewalk	17 375	8 687.50	8 687.50		8 687.50
<u>Sub-Total</u>	480 000	240 000	183 425	56 575	240 000
<u>Administration (Not to Exceed 15% of the Sub-Total)</u>	70 000	35 000	NIL	35 000	35 000
<u>Total</u>	550 000	275 000	183 425	91 575	275 000



[illegible]

(1) April 1 - June 30; (2) July 1 - Sept. 30; (3) October 1 - December 31; (4) January 1 - March 31.

# (1) Downtown Hamilton Action Plan

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 52 CATHARINE STREET NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "I" (Central Business District, etc.) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding clause 15(1)(ia) of By-law No. 6593, the following,

(i) RESIDENTIAL USE shall not be prohibited:

1. A residential care facility for the accommodation of not more than 130 residents of at least 60 years of age, within the building existing on the date of the passing of this by-law;

(b) there shall be provided and maintained on the same lot on which the building referred to in clause 1(a) is situate,

(i) a roof-top outdoor amenity area of not less than 372 square metres; and

(ii) a landscaped area not less than 3.0 metres wide along the northerly side of the building referred to in clause 1(a);

(c) subsection 15(6) of By-law No. 6593 shall not apply;

- (d) notwithstanding subclause (1)(1) of Table 1 of clause 18A(1)(a) of By-law No. 6593, a minimum of 25 parking spaces shall be provided and maintained for the residential care facility referred to in clause 1(a).

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "I" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-473a".

4. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-473a".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

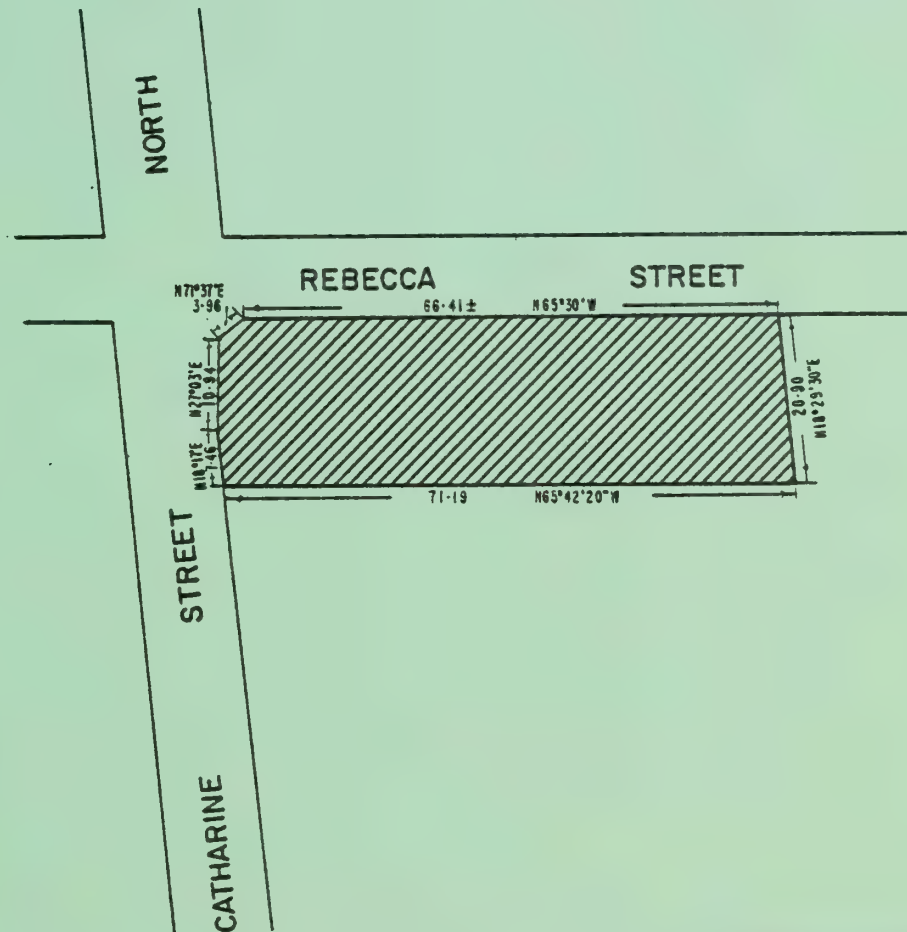
PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 17 R.P.D.C. 3, June 25  
Deem Management, Prospective Owner  
ZA-85-28





ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

-----  
Clerk

-----  
Mayor

# CITY OF HAMILTON

## SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



LANDS TO BE REGULATED BY BY-LAW  
NO. 85-

North



Scale  
1 : 750

Reference File No.  
ZA85-28

Date  
85-05-31

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

THE ESTABLISHMENT OF THE "HAMILTON COMMUNITY HERITAGE FUND"

WHEREAS The Corporation of the City of Hamilton entered into an Agreement with Her Majesty The Queen in Right of Ontario, as represented by the Minister of Citizenship and Culture for the Province of Ontario ("Ministry"), for the purpose of obtaining financial assistance from the Community Heritage Fund Program of The Building Rehabilitation and Improvement Campaign, established by the Ministry to financially assist Municipalities in establishing permanent capital funds for the purpose of investing in architectural conservation within the Municipality;

AND WHEREAS section 2.1 of the Agreement provides as follows:

2.1 The Municipality shall by by-law establish and maintain a reserve fund known as the "Hamilton Community Heritage Fund" into which it shall deposit \$191,666.67;

AND WHEREAS section 9 of the 29th Report of the Planning and Development Committee, adopted by City Council on the 8th day of January, 1985 provided, (amongst other things), for the financing of the City of Hamilton's share of \$192,000.00;

AND WHEREAS section 6 of the 1st Report of the Finance Committee, adopted by City Council on the 8th day of January, 1985, provided that the sum of \$192,000.00, being the City's share, be financed by a transfer from the Reserve for the Acquisition of Historical Properties.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby established and the City Treasurer is directed to maintain a reserve fund to be known as the "Hamilton Community Heritage Fund".
2. The sum of \$191,666.67 is hereby authorized to be transferred into the reserve fund established under section 1.
3. The City Treasurer is directed to deposit into the reserve fund established under section 1, the sum of \$250,000.00 granted to the City of Hamilton by the Ministry in accordance with the aforesaid Agreement.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

EXECUTION OF MUNICIPAL ACTION '85 AGREEMENT

WHEREAS the Province wishes to assist the City of Hamilton under its program "Municipal Action '85" by funding individual municipal initiatives aimed at increasing productivity, improving cost effectiveness, and refining staff expertise;

AND WHEREAS the City of Hamilton has entered into an Agreement with the Province authorized by By-law No. 84-109, passed on the 8th day of May, 1984, which Agreement referred to a Project to implement an employee assistance program to be completed on/or before the 30th day of June, 1985 and respecting which the Province agreed to contribute to the actual cost of the Project, the sum of \$29,375.00;

AND WHEREAS the City of Hamilton proposes to enter into a further Agreement with the Province to be authorized by this by-law, which Agreement refers to a Project to implement a Physical Demand Analysis Program to be completed on/or before the 31st day of December, 1985 and respecting which the Province agrees to contribute to the actual cost of the Project, the sum of \$16,050.00;

AND WHEREAS the City of Hamilton wishes to participate in the program.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Mayor and the City Clerk be authorized and directed to execute an Agreement between the Province and the City of Hamilton in form and content as annexed hereto as Schedule "1".

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 11 R.F.C. 24, June 25



File No. 16101-308-024

## MUNICIPAL ACTION '85 AGREEMENT

**BETWEEN:**

OF THE FIRST PART.

THE CORPORATION OF THE CITY OF  
HAMILTON, hereinafter referred to as  
the "Municipality".

OF THE SECOND PART.

WHEREAS the Province wishes to assist Ontario municipalities under its program "Municipal Action '85" by funding individual municipal initiatives aimed at increasing productivity, improving cost effectiveness, and refining staff expertise:

AND WHEREAS the Municipality wishes to participate in the program:

AND WHEREAS the Municipality by by-law No. \_\_\_\_\_ passed on the  
day of \_\_\_\_\_, 198 , has authorized the \_\_\_\_\_ and  
the \_\_\_\_\_ of the said Municipality to execute this  
Agreement on behalf of the Municipality:

NOW THEREFORE in consideration of the mutual covenants herein contained the parties agree as follows:

1. The Municipality shall undertake or have undertaken the Project, hereinafter referred to as the "Project" to implement a Physical Demand Analysis Program, in accordance with Schedule "A" attached hereto and forming part of this Agreement.
2. The Project shall be completed on/or before the 31st day of December, 1985, hereinafter referred to as "the completion date".
3. The Province agrees to contribute to the actual cost of the Project, the sum of Sixteen Thousand and Fifty Dollars (\$16,050.00) to be paid in the following manner:

The Province may make a payment of Sixteen Thousand and Fifty Dollars (\$16,050.00) to the Municipality as soon as may conveniently be done after the signing of this Agreement.

4. (a) In the event that the Project is not undertaken, the Municipality agrees to return all monies advanced by the Province, in accordance with section 3.
- (b) In the further event that the Project although undertaken, terminates prematurely for any reason, including termination by the Province in accordance with section 10; the Province, taking into account all the appropriate circumstances, may determine, in its absolute discretion, that a portion of its payment to the Municipality shall be returned by the Municipality to the Province. The Municipality agrees to forthwith make such repayment to the Province.
5. The Municipality shall provide the Province with a statement certified by the Treasurer, setting out in such detail and in such form as the Province may direct, the Project costs incurred or paid by the Municipality in carrying out the Project. The Municipality shall also provide to the Province invoices and receipts regarding such costs, if so requested by the Province.
6. The Province or its agents may attend any meeting related to the Project and to that purpose the Municipality shall advise the Province of the time and place of all meetings in sufficient time to facilitate attendance.
7. The Municipality shall at all times permit all staff or agents of the Province to inspect any component of the Project. The Municipality shall also submit to the Province progress reports at such intervals as the Province may require.
8. All data, working papers and other documents prepared for or by the Municipality in connection with this Project, including the documentation, manuals or reports provided for in Schedule "A", shall be and remain the sole property of the Municipality. However, the Province shall at all times, after the completion of the Project and in consultation with the Municipality, have the right to publish or otherwise disseminate any such documentation, manuals and reports, except for documentation, manuals or reports which the Municipality is prohibited by any agreement to which it is a party, from publishing or otherwise disseminating.
9. The Municipality shall indemnify and save harmless the Province from and against all claims, actions, losses and expenses, costs or damages of every nature and kind whatsoever which may be occasioned as a result of the negligence of the Municipality or any consultant or agent retained by the Municipality in connection with the Project.
10. The Province may at any time, by written notice of at least seven days to the Municipality, suspend or otherwise terminate this Agreement.
11. Any notice herein provided for or given hereunder if given by the Province to the Municipality shall be sufficiently given if mailed to the Municipality by prepaid registered post addressed to it at:

City of Hamilton  
City Hall  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

12. Any notice herein provided for or given hereunder if given by the Municipality to the Province shall be sufficiently given if mailed to the Province by prepaid registered post addressed to:

Director or Acting Director  
Municipal Management Policy Branch  
Ministry of Municipal Affairs and Housing  
11th Floor, 777 Bay Street  
Toronto, Ontario  
M5G 2E5

13. Any notice shall be deemed to have been given on the date of mailing. Either the Province or the Municipality may at any time give notice in writing to the other of any change of address of the party giving such notice and after the giving of such notice the address therein specified shall be deemed to be the address of such party for the giving of such notice thereafter.

IN WITNESS WHEREOF Mr. Alec Trafford, Director, Municipal Management Policy Branch, has, on behalf of the Minister of Municipal Affairs and Housing on behalf of the Province of Ontario hereunto set his hand, and \_\_\_\_\_ and \_\_\_\_\_ on behalf of the Municipality, have hereunder set their hands and seal.

SIGNED, SEALED AND DELIVERED )  
IN THE PRESENCE OF: )

\_\_\_\_\_  
Witness )

\_\_\_\_\_  
On behalf of the Minister of  
Municipal Affairs and Housing

\_\_\_\_\_  
Witness )

\_\_\_\_\_  
On behalf of the Municipality

\_\_\_\_\_  
Witness )

\_\_\_\_\_  
On behalf of the Municipality



BY-LAW NO. 84 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE                      DAY OF     JUNE  
A.D., 1985

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of                      JUNE

A.D. 1985

City Clerk

Mayor





HAMILTON PUBLIC LIBRARY

JUL 30 1985

GOVERNMENT DOCUMENTS

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, 1985 July 30  
7:30 o'clock p.m.  
Council Chambers  
City Hall

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CA4 ONHBL AOS  
A31  
1985

**A G E N D A**

1. Prayer - Mr. Malik Quraishi of the Pakistan Community
2. Minutes of the meetings held 1985 June 25 and July 16
3. Correspondence:
  - (a) Petition from St. Matthews Group,  
Re: Living Conditions in their Building and  
Lack of Facilities for Singles in Hamilton - enclosed
  - (b) Letter dated 1985 July 22 from President - McQuesten  
Community Association - attached
  - (c) Letter dated 1985 July 17 from C.A.O., City of Burlington,  
Re: Hamilton Harbour/Burlington Bay Annexation - attached
4. Reports of Standing Committees - attached:
  - A Transport and Environment Committee
  - B Parks and Recreation Committee
  - C Planning and Development Committee
  - D Legislation Committee
  - E Personnel Committee
  - F Finance Committee
  - G Mayor R. M. Morrow
5. Notices of Motion for next meeting
6. First reading of the Bills
7. Second reading of Bills - Committee of the Whole
8. Third reading of Bills
9. Question period
10. Adjournment





CORRESPONDENCE





McQuesten Community Association  
38 Glengrove Ave. Hamilton, Ont.  
L8H 3R2 547-7906

The Council of The Corporation  
of The City of Hamilton  
c/o Mr.E.A.Simpson, City Clerk  
City Hall  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

July 22, 1985

RECEIVED  
CITY CLERK  
JUL 22 1985

Dear Members of Council:

Enclosed please find a report of the McQuesten Ontario Neighbourhood Improvement Program citizens committee meeting held on June 20, 1985 and includes the opinion of the proceedings as viewed by me as a member of this committee and the representative of the McQuesten Community Association. I ask that this information be accepted and listed as correspondence for the July 30/85 City Council meeting.

Sincerely,



MSK/ENC.

Murray S. Kilgour  
McQuesten Community Association  
President



McQuesten Community Association  
38 Glengrove Ave. Hamilton, Ont.  
L8H 1A2 547-7906

ONTARIO NEIGHBOURHOOD IMPROVEMENT PROGRAMME - MCQUESTEN AREA

RE: MULTI-SERVICE CENTRE AT ROXBOROUGH PARK PRESBYTERIAN CHURCH  
ST. HELEN'S SCHOOL

The following report constitutes the sole opinion of the writer, and should not be taken to reflect the opinion of the McQuesten Board of Directors as a whole. This does, however, reflect a consensus of the Board.

At a meeting of the McQuesten C.N.I.P. committee held at the Roxborough Park Presbyterian Church on June 20, 1985, at 5:00 p.m., the following recommendation was approved unanimously with certain reservations by the McQuesten Community Association representative. Due to the need in our community for at least some measure of recreational service, he did not oppose this proposal, but would like both the City Council and the community to realize the effect and degree of benefit to the community such a centre will provide and weigh the pros and cons accordingly.

The following recommendation was approved and will be forwarded to the Community Development Committee to discuss at its July 10, 1985, meeting, and if approved, on to the city council at its July 30, 1985 meeting.

RECOMMENDATION:

"THAT A MULTI-SERVICE CENTRE BE ESTABLISHED TO SERVICE THE MCQUESTEN NEIGHBOURHOOD AT ROXBOROUGH PARK PRESBYTERIAN CHURCH AND PORTIONS OF ST. HELEN'S SCHOOL, AT A COST NOT TO EXCEED \$120,000.

"THAT THE CITY SOLICITOR BE HEREBY AUTHORIZED AND DIRECTED TO PREPARE SUITABLE LEGAL AGREEMENTS FOR ABOVE, AND THAT THE MAYOR AND CITY CLERK BE AUTHORIZED TO EXECUTE SAME ON BEHALF OF THE CITY CORPORATION."

First of all, congratulations are definitely in order to all those who proposed this Multi-Service Centre, namely, the Catholic Diocese, the Anglican Diocese and the Rox-Park Church. Details of this proposal as of this time are: to keep the Church area as is, separate from the basement which will be used for community use as well as church use. The church will have its' roof completely insulated. A chair lift will be installed, improved kitchen and washroom facilities, new locking separation between the church and basement, new matching doors, basement walls will be insulated and drywall installed.

The Manse (ministers previous residence) will be renovated, hydro checked and upgraded if necessary, all aluminum siding, new front stairs, all doorways on Manse Level 1 to be a minimum of 2" - 6" to accommodate wheelchairs. Both levels will be converted to office space.





Ontario Neighbourhood Improvement Programme - McQuesten Area cont'd. (2)

As a member of the O.N.I.P. committee, and the McQuesten Community Association representative, I would be remiss if I did not note certain questions pertaining to this proposal.

1. As you may or may not know, the McQuesten Community Association also proposed a similar recommendation for a multi-purpose centre some time ago. Our proposal differed, however, in that it consisted of more of a Community rather than a Social Service Centre. Features would have emphasized the job creation skill training and community use with the community being the sole owner. Due to our proposed building being sold, our proposal was lost. Why had the Community Development Department not aided or made any suggestions during the three years tenure of this project to help the McQuesten Community Association to develop its proposal?

In fact only negative suggestions were made at committee level e.g. "City Council would not favor allotting \$100,000 to the responsibility of a community organization, but would prefer a more stable group such as a church to sponsor such a facility and that such an agreement could require sponsorship for as long as 25 years."

2. Why was the McQuesten Community Association and the citizens committee not informed that a previously approved proposal was rejected by the Anglican congregation?

3. Why was the McQuesten Community Association representative not invited to attend and participate in the discussions held by the City's Dept. of Community Development and the Rox Park Church when we are part of the committee authorized by the City to allocate these ONIP funds? Why were only a few chosen groups invited?

4. On two separate occasions during the past five months, I asked the project worker for the City of Hamilton, Mrs. Jayne Tollefson, when a meeting would be called of the McQuesten O.N.I.P. committee. At no time was any information given me as to what proposals were being discussed only that a meeting would be called shortly. Why was the citizens' committee not kept up to date on the ongoing events?

5. Why was an evening meeting called for 7:00 p.m., and then cancelled and made at a very inappropriate time of 5:00 p.m. on June 20, 1985.

6. Why was the recommendation made by and signed by Mrs. Jayne Tollefson and dated June 18, 1985, when the meeting was not held until June 20, 1985? The recommendation came with blueprints and only one builders quote. Why would no tender be called when an amount of approximately \$60,000 of city money and \$60,000 of Provincial money would be spent?

I did not feel these matters were being dealt with properly and the consensus of those present did not warrant the calling of a public meeting though in this writer's opinion this is what is needed. I asked for a vote on holding an evening meeting where more of the committee could be present. With no seconder, this motion was lost. Only 8 of the 15 members were present.

Alderman Collins advised me that the citizens committee was appointed by the city to decide how the O.N.I.P. funds were to be spent, and that we should exercise our mandate.





My argument was that this proposal was not what the citizens of the McQuesten area wanted according to MCA information and that of the questionnaire of the Community Development Department sent out to the McQuesten residents at the start of the project. Due to this information, I felt a public meeting was in order.

7. What exactly in the way of limitations will the church place on the activities of this centre? Will all groups be allowed access, or will those such as the abortion free choice groups be denied the use of this facility due to a difference of opinion on what is right? What other groups will be denied the use of this building? Or will management committee have the final say?

I would like to publicly state that this proposal is commendable in that it will save a church from probable closing due to lack of funds, however, the other side is that taxpayers money is being used and in approximately eight years, the use of this facility will return completely to the church and once more our area will be without a facility. At this time, the Diocese should choose to sell of their assets at an increased value at their own descretion.

I ask the city council to strongly debate this issue. Copies of this letter will be sent to the City Clerk for distribution to all city Aldermen, prior to the next council meeting on July 30, 1985.

In all probability, this statement will seem to some as a bunch of sour grapes due to McQuesten's failure to attain it's proposed centre. I would like to state this thought is incorrect. We were, of course, disappointed, but will continue to achieve our goal of a McQuesten Community Centre at a later date. We still will support the present social service oriented centre as being a start at what we wish to achieve.

I feel that the project worker of the Community Development Department did not fulfill her obligations under her job description, and that an investigation into possible improper procedures should be investigated, with the appropriate action taken.

Murray S. Kilgour  
MCQUESTEN COMMUNITY  
ASSOCIATION PRESIDENT.





The Corporation of the  
**City of Burlington**

July 17, 1985

City Hall:  
426 Brant Street, Burlington, Ontario, Canada  
Mailing Address:  
P.O. Box 5013, Burlington, Ontario, Canada L7R 3Z6

Telephone: 335-7609

File No.:

RECEIVED

JUL 23 1985  
CITY CLERKS

Mr. E.A. Simpson, Clerk  
City of Hamilton  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

Dear Mr. Simpson:

Subject: Hamilton Harbour / Burlington Bay Annexation

At the regular Council meeting of July 8, 1985, the Council of the City of Burlington passed a resolution directing that representation be made to the Council of the City of Hamilton on the subject of a revision to the boundary between Hamilton and Burlington in accordance with previous submissions. These previous submissions have been considered by your Planning and Development Committee and your City Council, and have not received favourable consideration.

Accordingly, it would be appreciated if you would submit this letter to your council, with a request that further consideration be given to the question of the Burlington application for annexation of part of the Hamilton Harbour/Burlington Bay, and that a standing committee of your council or a special ad hoc committee of your council be established to meet with representatives from the City of Burlington to pursue this matter further.

A number of years ago the then Minister of Municipal Affairs, the Honourable Tom Wells, directed that every effort should be made to resolve this matter by negotiations between the two municipalities, and we feel that a meeting between our respective councils or committees thereof may be the best manner in which this outstanding issue can be dealt with.

I would be very pleased to forward to you the previous submissions that we have made; however, I believe that you will find them on file at the City of Hamilton.

Yours very truly,

  
M.H. Boggs

CHIEF ADMINISTRATIVE OFFICER

MHB:ms

c.c. Mr. L. Sage, C.A.O. Hamilton  
Miss H. MacRae, City Clerk, Burlington





REPORTS





## TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1985 and respectfully recommends:

1. **HAMILTON AUTO SUPPLY LTD., Hamilton, Ontario**

Supply and Delivery of One (1) Bishman/Van Norman 230V Brake Lathe, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of ..... \$11 551.67  
All charges included.

NOTE: Lowest of 4 acceptable tenders. Funding provided in account 0348-0275.

2. **MODERN BUILDING CLEANING, A DIV. OF DUSTBANE ENTERPRISES LTD., Hamilton, Ontario**

Cleaning Services for Hamilton Civic Airport in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows, for a two year period. The initial term to commence August 15, 1985 to November 30, 1985 with City's option to renew for a term ended August 14, 1987.

Projected Work (approximately) ..... \$11 148.64  
Routine Cleaning..... \$67 789.28

NOTE: Lowest of 3 tenders. Funds provided for in account 0391-2303.

3. That Council ratify the change of the **Regional Airport Committee** from a Standing Committee to a Special Committee as approved by Regional Council on June 18, 1985.

4. That approval be given to an increase in the contract with the Moffat Kinoshita Partnership for the **Chedoke Maintenance Depot**, from \$53 000.00 to \$53 560.21, an increase of \$560.21.

NOTE: Funds are available in the overall project appropriation to cover this amount (Account 0408 V72713).

5. That approval be given to an increase in the contract with Demik Construction Limited for the **Chedoke Maintenance Depot**, from \$910 518.00 to \$912 176.04, an increase of \$1 658.04.

NOTE: Funds are available in the overall project appropriation to cover this amount (Account 0498 V72715).

6. That the **notice of vacant possession** date of October 31, 1985 for Mr. and Mrs. Frederich Elliott, 9322 Airport Road West, Mount Hope, approved by City Council June 25, 1985 be changed to November 30, 1985.

7. That an **Offer to Purchase City owned lands by John and Florence Potter**, executed on July 2nd, 1985 and scheduled for closing on September 4th, 1985, be completed.

NOTE: The property comprises an area of 72.31 M<sup>2</sup> (778 square feet more or less) and is described more particularly as Part 5 on Plan SS-1592 Surveys.

The purchase price of \$778.00 is to be credited to Account 0411.611506.

8. That an **Option to Purchase the property known as Part 15 and 16 Registered Plan 62R-4121** executed by the owners, Pem Holdings Limited on May 31st, 1985 and scheduled for closing on or before September 10th, 1985, be approved.

NOTE: This vacant parcel of land having a total area of 160.34 square meters (1 726 sq.ft) is required by the City in order to complete the acquisition of lands necessary to establish a portion of roadway known as Templemead Drive.

The purchase price of \$176.00 in accordance with Schedule "A" is to be charged to Account 0280-02.

9. That:

- i. An **Option to Purchase the lands of the T.H.& B. Railway** duly executed on May 14, 1985 and scheduled for closing on September 27, 1985, be completed.

The property which is required for road widening purposes contains 2 787 square feet (258.99m<sup>2</sup>) and is shown as Parts 1 and 2 on Plan 62R-6456. The subject lands will form part of the road allowance of Stroud Road.

The purchase price is \$4 700, the cost of which is to be charged to Account 0408-F31706.

- ii. The City Solicitor be authorized and directed to incorporate the lands in the street, by by-law, once the necessary lands have been acquired.

10. That:

- i. A steel quonset structure, located at Public Works Upper Ottawa Street Yard, be converted into a **salt/sand storage facility** at an estimated cost of \$25 000,
- ii. The Finance Committee recommend the method of financing.

11. That:

- i. The **Vincent Neighbourhood** be designated as a **Neighbourhood Watch area**; and
- ii. Neighbourhood Watch signs for the Vincent Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- iii. The necessary funds be charged to Account No. 0345-6060 (Neighbourhood Watch Program).

12. That:

- i. The **Hill Park Neighbourhood** be designated as a **Neighbourhood Watch area**; and
- ii. Neighbourhood Watch signs for the Hill Park Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- iii. The necessary funds be charged to Account No. 0345-6060 (Neighbourhood Watch Program).

13. That:

- i. A **stop sign** be erected to control westbound traffic on **Evelyn Street** at Bow Valley Drive; and
- ii. A stop sign be erected to control southbound traffic on Bow Valley Drive at Vittorito Avenue; and
- iii. A stop sign be erected to control eastbound traffic on Evelyn Street at Prins Avenue.

14. That the **stop sign** requiring eastbound traffic on **Allan Avenue** to stop at Cope Street **be removed**.

15. That **stop signs** be erected to control:

- i. northbound traffic on Houghton Avenue South at Maple Avenue; and
- ii. southbound traffic on Houghton Avenue South at Central Avenue; and
- iii. westbound traffic on Monterey Avenue at Park Row South; and
- iv. northbound traffic on Houghton Avenue South at Monterey Avenue; and
- v. westbound traffic on Central Avenue at London Street South.

16. That **southbound traffic** on **Clifton Downs Road** be required to stop at Lasila Court/Clifton Downs Road.

17. That a **stop sign** be erected to control eastbound traffic on **Abbott Drive** at East 25th Street.

18. That **stop signs** be erected to control northbound and southbound traffic on **Jamie Ann Street/Court** at Solomon Crescent.

19. That:

- i. A **stop sign** be erected to control westbound traffic on **Delmar Drive** at Laurier Avenue; and



- ii. A stop sign be erected to control westbound traffic on Laurier Avenue at Columbia Drive.
- 20. That a **stop sign be erected to control northbound traffic on Summer Place** at Summerlea Drive.
- 21. That, in accordance with the request from the Hamilton Street Railway Company, the following **bus stop relocation** be approved:

Parkdale Extention - Southbound and Eastbound

Delete - Greenhill at House 592  
Add - Greenhill at Quigley

- 22. That the by-law entry establishing a **bus stop on the south side of Young Street**, west of Walnut Street South, **be rescinded**.
- 23. That no action be taken to change the **parking regulations on Wilmont Court and on Delbrook Court**.
- 24. That **stopping be prohibited on the east side of Northcote Street** between Beach Road and a point 76 feet northerly therefrom.
- 25. That **parking be prohibited on both sides of Brockley Drive** between Barton Street East and Milburn Road.
- 26. That:
  - i. **Parking prohibition on the north side of Robert Street** between Hughson Street North and a point 50 feet east **be rescinded**; and
  - ii. The existing "Permit Parking Only" regulation on the north side of Robert Street which commences at a point 50 feet east of Hughson Street North and extends to a point 101 feet west of John Street North be extended, such that the regulation commences at Hughson Street North and extends to a point 101 feet west of John Street North.
- 27. That **parking be prohibited on the south side of Lansdowne Avenue**, commencing at a point 132 feet east of Sherman Avenue North and extending to Lottridge Street.
- 28. That an **"Alternate Side Parking" regulation be implemented on the south leg of Ravenbury Drive** west of Rondeau Street and on the westerly leg of Ravenbury Drive such that parking is prohibited;
  - i. on the north and east sides of the street during the months of December, January, February and March and from the 1st to 15th day of April, May, June, July, August, September, October and November, and;
  - ii. On the south and west sides of the street from the 16th to the last day of April, May, June, July, August, September, October and November.

29. That a **"School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday"** regulation be implemented on the west side of Kingslea Drive, commencing at a point 78 feet south of Broker Drive and extending to a point 80 feet southerly therefrom.
30. That a **"School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday"** regulation be implemented on the south side of Ninth Avenue, commencing at a point 152 feet east of Fernwood Crescent and extending to a point 80 feet easterly therefrom.
31. That a **"School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday"** regulation be implemented on the north side of Tenth Avenue, commencing at a point 60 feet east of East 45th and extending to a point 80 feet easterly therefrom.
32. That the application by Nicolino Oliveira to lease a portion of the boulevard of Wood Street West, adjacent to 553 James Street North, be approved provided that:
  - i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1984 March 13 (current rate is \$2.69 per square metre), plus taxes, if any, in addition to the \$10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.
  - ii. the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
  - iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.
  - iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
33. That, in accordance with the recommendations of the Hamilton-Wentworth Regional Police Department:
  - i. a **school traffic officer not be assigned to Ottawa Street North** in the vicinity of the C.N.R. railway tracks; and
  - ii. school safety officers visit Lloyd George Public School to remind the students of the dangers of railway crossings.
34. That motorists northbound on Dundurn Street at Aberdeen Avenue be prohibited from turning right on a red traffic signal indication.
35. That a **"Commercial Vehicle Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Friday,** regulation be implemented on the east side of Hughson Street North, commencing at a point 50 feet north of King William Street and extending to a point 30 feet northerly therefrom.

36. That:

- i. the **chain-link fence on the City road allowance between 1630 Barton Street East and 294 Walter Avenue North** be removed at the owner's expense; and
- ii. the appropriate departments be authorized and directed to take the necessary steps to ensure that the fence is removed.

37. That the proposed newspaper advertisement, **appended hereto**, relative to **Noise Control By-law 79-292** be published in the local newspaper(s) to increase public awareness of the Noise Control By-law.

38. That the application of Mr. W. B. Elliot on behalf of the owner(s) of **55 Queen Street North**, Greening Donald Co. Ltd., to permit the following encroachments on the road allowance of Napier Street:

- i. concrete planter and steps, 2.04 metres by 11.2 metres, and
- ii. fire exit door, 1.0 metre by 1.0 metre

be approved, during the pleasure of City Council, provided:

- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (b) That an annual fee of \$153 plus applicable realty taxes, be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

39. That the application of Mr. M. L. Castle on behalf of the owner(s) of **107-109 Balsam Avenue South**, Erlinda Nuesca, to retain an inadvertent encroachment on the road allowance respecting a **three storey brick building, 0.11 metres by 1.52 metres**, be approved during the pleasure of City Council, provided:

- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

40. That the application of Mr. J. R. Beckett, on behalf of the owner(s) of **213 Napier Street**, Nicola and Antonia Amodeo, to retain the following inadvertent encroachments on the road allowance of:

- i. Napier Street, a veranda and steps 0.77 metres by 3.66 metres,
- ii. Wellesley Street, two (2) storey brick building, 0.45 metres by 9.1 metres

be approved during the pleasure of City Council, provided:



- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
41. That the application of Mr. R. S. Danks on behalf of the owner(s) of **119 Craigroyston Road**, Elizabeth Varyu, to retain an inadvertent encroachment on the road allowance respecting **porch steps 0.26 metres by 1.2 metres**, be approved during the pleasure of City Council, provided:
- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
42. That the application of Mr. G. W. Hutton, on behalf of the owner(s) of **106 Stinson Street**, David and Deborah Hammill, to retain an inadvertent encroachment on the road allowance respecting a **2 1/2 storey brick building, 0.06 metres by 8.84 metres** on East Avenue, be approved during the pleasure of City Council, provided:
- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
43. That the application of Mr. R. B. Easterbrook, on behalf of the owner(s) of **269 Lottridge Street**, Victor and Isabell O'Meara, to retain an inadvertent encroachment on the road allowance respecting a **2 storey brick building 0.07 metres by 14.6 metres** on Biggar Avenue, be approved during the pleasure of City Council, provided:
- (a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
44. That the City Solicitor be directed to proceed with the preparation of a **By-law to extend Ravenbury Drive** by incorporating therein a portion of Block "CX" according to Randall Estates (Phase 1), Registered Plan M-200 being a strip of land 1.0' wide by 66.0' long.
45. That the City Solicitor be directed to proceed with the preparation of a **By-law to extend Regent Street** by incorporating therein part of Parcel "E" according to Orchard Crest Survey registered in the Land Registry Office as Plan number 921.

46. That the City Solicitor be directed to proceed with the preparation of a **By-law to extend Ravenbury Drive** by incorporating therein Block "A" according to Randall Estates (Phase 2), Plan M-283.
47. That the City Solicitor be directed to proceed with the preparation of a **By-law to establish the aforementioned parcels as part of Rexford Drive** and Roberstfield Drive after the City has ownership and the City accepts deeds for the said lands.
48. WHEREAS the **1985 Reconstruction Program includes the reconstruction of the roadway and sidewalks on Forest Avenue** between James Street and Wellington Street; and

WHEREAS the portion of Forest Avenue between Ferguson Avenue and Wellington Street requires the construction of curbs on the north side only and it is desirable and expedient that these works be undertaken; and

WHEREAS the method of recovery of funding will be all or in part by imposing a special rate or levy on a defined area,

IT IS HEREBY RECOMMENDED:

- i. That the report of the Commissioner of Engineering and the City Treasurer, **appended hereto**, recommending the construction of a concrete curb on the north side of Forest Avenue between Ferguson Avenue and Wellington Street as a local improvement on the initiative pursuant to Section 12 of the Local Improvement Act, be adopted; and
  - ii. That the City Clerk and City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works; and
  - iii. That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of the Ontario Municipal Board Act if no petition has been filed or an insufficient petition has been filed against the work as set forth in Section 12 of the Local Improvement Act.
49. That the Mayor and Clerk be authorized to sign a **discharge of a drainage agreement on Lot 3, Concession 5**, Township of Barton and registered as instrument #3814 and the City Solicitor be authorized to take all necessary action to discharge the document.
  50. That:
    - i. The application of Mr. A. Costin, of McCarthy and McCarthy, Solicitors, on behalf of the owners of the property, requesting **permission to have the Fire Escape Agreement for 25 King Street West, Instrument No. 262693 H.L., date of registration, February 7, 1964, discharged**, be approved, subject to the satisfaction of the City Solicitor,
    - ii. The appropriate civic officials be authorized to execute the documents in relation to this discharge.



51. That:

- i. The request of Cedric L. and Marion R. Gallant, owners of **210 Hunter Street East, to discharge the encroachment agreement** for this address, Instrument No. 107075 C.D. registered on October 23, 1978, be approved, subject to the satisfaction of the City Solicitor,
- ii. The appropriate civic official be authorized to execute the documents in relation to this discharge.

52. WHEREAS Clause 3(b) of the Twelfth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1985 April 30, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Ontario Land Corporation;**

IT IS RECOMMENDED THAT:

- i. Item 5 of the Traffic and Engineering Committee Report 22-77, as adopted by City Council on July 26, 1977, be rescinded;
- ii. The engineering schedules for the estimated cost of services in "Rushdale Subdivision - Stage 1", as approved by the Commissioner of Engineering be adopted for inclusion in the proposed Subdivision Agreement;
- iii. The City's share for the cost of services for this development (\$33 963.87) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORK

AMOUNT TO BE FINANCED

Sidewalks	\$ 911.35
Final Roads	19 689.52
Fencing	<u>13 363.00</u>
TOTAL	\$33 963.87

- iv. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- v. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

53. That the Commissioner of Transportation be authorized and directed to issue purchase orders to Epton Industries Inc. in the amount of \$7 400 for the **purchase of rubber mud rails**, and to the City of Hamilton Public Works Department in the amount of \$11 618 for asphalt construction at the crossings.

54. WHEREAS Council in adopting Item 1 of the Tenth Report of the Transport and Environment Committee of June 25, 1985 has agreed with the conditions outlined in the "Minutes of Settlement" relative to the action brought by the City against the **T.H.& B. Railway and C.P. Limited;** and



WHEREAS under Clause 4 of the Minutes, the City agrees and undertakes to pass a by-law to rescind By-law 755; and

WHEREAS Clause 9 of By-law 755 assigns responsibilities of repair and maintenance of several structures associated with City streets to the T.H. & B. Railway; and

WHEREAS it is imperative that these responsibilities continue to be under the jurisdiction of the T.H. & B. Railway,

IT IS THEREFORE RECOMMENDED THAT the City Solicitor be authorized and directed to ensure that the repair and maintenance of all structures listed in By-law 755 continue to be the responsibility of the T.H. & B. Railway if By-law 755 is rescinded.

55. That the application of the Questor Court Neighbourhood Association, to **temporarily close Questor Court, to hold a "Street Dance"** on Saturday, August 17, 1985, from 2:00 p.m. to 11:00 p.m., or on a rain date of Saturday, August 31, 1985, from 2:00 p.m. to 11:00 p.m., be approved, subject to the following conditions:
- i. That all signing and barricading will be subject to the direction of the Regional Police Department and at the expense of the organizing group;
  - ii. That clean-up will be carried out immediately following the event at no cost to the City;
  - iii. That the applicant provide proof of \$1 000 000 public liability insurance, prior to the event, naming the City of Hamilton as an added insured party with a provision for cross liability and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

56. WHEREAS the **Neighbourhood Plan for Riverdale East** has been revised by City Council to delete the requirement for the road crossing of Stoney Creek,

IT IS HEREBY RECOMMENDED THAT:

- i. Item 10 of the 7th Report of the Transport and Environment Committee approved by Council on April 30, 1985, be rescinded;
- ii. Item 11 of the 8th Report of the Finance Committee approved by Council on April 30, 1985, be rescinded;
- iii. Consideration be given to include an item in the 1986 Current Budget for provision for a pedestrian pathway across the Stoney Creek Valley.

57. WHEREAS authorization was granted by City Council to Contrast, to place newspaper vending boxes on City roads, and

WHEREAS Contrast has failed to meet the terms of permission granted by Council,

IT IS THEREFORE RECOMMENDED THAT:

- i. The authorization granted by Council of December 11, 1984, in adopting Section 25 of the 20th Report of the Transport and Environment Committee, be rescinded;

- ii. **Contrast be directed to remove all of their vending boxes** from City roads, within 30 days of Council's resolution;
- iii. In the event the vending boxes have not been removed within the 30 day period, the Commissioner of Transportation be authorized to remove and store the vending boxes for recovery by the owner, and the expense of so doing be recovered from the owner,
- iv. The City Solicitor be authorized to initiate such legal action as may be necessary to protect the City's interests.

58. That:

- i. The City of Hamilton **relax its requirements from requiring sidewalks on both sides of all streets** within subdivisions;
- ii. Staff prepare warrants for when sidewalks should be included along streets,
- iii. In the case of the Strawberry Hill Subdivision, Hamilton, Huckleberry Drive have sidewalks on both sides, Strawberry Drive and Blueberry Drive have sidewalks on one side only (Lots 40 to 95 Strawberry Drive and Lots 87 to 95 on Blueberry Drive), Cranberry Court have no sidewalks and that underground wiring, street lighting and hydrants be installed on the no-walk sides of the street.

59. That in order to indemnify the area in front of the Royal Connaught Hotel as a unique access facility, a white-on-brown street name sign bearing the words **"Connaught Plaza"** be erected by the City at the expense of the Royal Connaught Hotel.

60. WHEREAS tenders have been received for major repairs to the **Emerald Street pedestrian bridge over CN Rail** in excess of the amount estimated in the budget,

IT IS THEREFORE RECOMMENDED THAT:

- i. The Commissioner of Engineering be authorized and directed to issue the necessary purchase orders in the amount of \$27 750 to Denron Restoration and Contracting for repairs to the Emerald Street pedestrian bridge;
- ii. The Finance Committee determine the method of financing the additional \$7 750 required over the budgeted amount of \$20 000.

61. WHEREAS there is a **water ponding problem on the east side of Avondale Street** between Barton Street and Beechwood Avenue which can be alleviated with the installation of an additional catch basin,

IT IS THEREFORE RECOMMENDED THAT:

- i. The Commissioner of Engineering be authorized and directed to arrange for the installation of the necessary catch basin on the east side of Avondale Street between Barton Street and Beechwood Avenue at an estimated cost of \$2 500.

- ii. The cost of this work be financed from the 1984 Reconstruction Program - Margaret Street Reconstruction, Account 0408-F41765.
62. That the **Policy and Procedure Guidelines for Outdoor Boulevard Cafes** passed by City Council on August 28, 1984, be augmented by requiring the applicant to provide details on the colour, the architectural finishes and the arrangement of the various elements such as chairs, tables, umbrellas, plantings, refuse containers and floor mounted menus.
63. WHEREAS staff has been directed by the Transport and Environment Committee to investigate how other municipalities establish **fees for outdoor boulevard cafes**, and to meet with the cafe owners to discuss the fees and the difference between a seasonal licence and an annual licence and;

WHEREAS a review of the current fees for outdoor boulevard cafes has been undertaken by staff,

IT IS THEREFORE RECOMMENDED THAT:

- i. The existing "Annual and Seasonal Licence" policy be amended so that only seasonal licences are issued to cover the period from May 1st to October 31st inclusively, to which the licence fee shall be pro-rated (i.e. six months) with the understanding that all items remaining on the road allowance after October be covered under an encroachment agreement;
- ii. The fees for seasonal licences shall be based on a 10% return of fair market value of the licenced area (subject to review regularly) pro-rated for a six month period from May 1st to October 31st inclusively,
- iii. The present licence fees and agreements for the cafes listed below, be revised commencing May 1, 1985, based upon current land market values and in conformity with the proposed recommended fee schedule:

(a) Harry's American Road House 31 Cannon Street East (on Hughson Street)	\$309.83
(b) Gown and Gavel Restaurant 24 Hess Street South	\$270.00
(c) The Winking Judge 25 Augusta Street	\$126.00
(d) Old Castile Dining Lounge 20 Augusta Street	\$161.14
(e) Valentino's Place 824 King Street West (on Paradise Road)	\$ 58.63
(f) Patio Cafe 1 Duke Street	\$445.65
(g) Aceti's Pizzeria and Tavern Limited 1493 Main Street East (on Barons Avenue)	\$188.00



- (h) Homestead Restaurant  
627 King Street East (on Ashley Street) \$280.50
- (i) Azores Tavern and Catering  
191 James Street North (Mulberry Street) \$385.03
- (j) Forestgate Restaurant  
4 Forest Avenue \$475.80
- iv. The owners prepare a Licensing Agreement, satisfactory to the City Solicitor, and the Commissioner of Transportation, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- v. The owner provide proof of \$500 000 public liability insurance, naming the City of Hamilton as an added insured party, with a provision for cross liability, and deliver the policy, or a certified copy or certificate thereof to the City Solicitor, and maintain the policy during the currency of the agreement, and deliver annually a renewal certificate of the policy to the City Clerk;
- vi. That the owners conform to the "Proposed Policy and Procedure Guidelines for Outdoor Boulevard Cafes" as adopted by Council on August 28, 1984;
- vii. A \$10 insurance fee and a \$25 annual fee be charged to cover any encroachments which remain on the road allowance from November 1st to April 30th, and the owner be required to enter into an encroachment agreement.
- 64. That the application of Mrs. Elizabeth Meyer, owner of **"Cafe Vienna" at 15 Hess Street South, requesting permission to obtain a Seasonal Licence** to establish an outdoor cafe, 3.27m by 5.48m on the boulevard of Hess Street comprised of portable, white painted steel fence and cedar railing be approved during the pleasure of Council, provided that:
  - i. The owners prepare a Licensing Agreement satisfactory to the City Solicitor, and the Commissioner of Transportation, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - ii. A Seasonal Licence (from May 1st to October 31st), fee of \$87.07, "plus any costs that may be assessed or incurred by the Municipality, as a result of the approval granted by this licence" be set for this privilege, which fee shall be due and payable to the Corporation, 30 days from the date of this resolution, satisfactory to the City Solicitor;
  - iii. The owners may occupy the licenced area of the boulevard from May 1st to October 31st, and all furniture, equipment, etc., must be removed from the area at all other times.
  - iv. The owners provide \$500 000 public liability insurance, naming the City of Hamilton as an added insured party with a provision for cross liability, to save the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss;
  - v. The owners conform to the "Proposed Policy and Procedure Guidelines for Outdoor Boulevard Cafes" as adopted by Council on August 28, 1984.

65. That subject to a By-law to be prepared by Yates and Yates, Solicitors for the City, Council approve the **closing and selling to the abutting owners, a portion of Napier Street** from Bay Street North to 62m, (203 ft.) westerly, pursuant to a Public Notice to close a greater portion thereof, namely 268 ft. Said sale shall be subject to an Easement in favour of the Regional Municipality of Hamilton-Wentworth for the maintenance of services thereunder.

NOTE: The reduction of the Napier Closure, namely 65 ft. is in response to an objection by Canada Post whose neighbouring property would be adversely affected in respect of vehicular movement in and out of their premises.

The objection registered has been officially withdrawn on the understanding that the proposed closure will be reduced by the said 65 ft.

66. That leave be granted to introduce the following bills:

- (a) A-28 By-law Respecting the Construction of Local Improvements of a Concrete Alley in the Block Bounded by Charlton Avenue, Hess, Herkimer and Queen Streets
- (b) A-29 By-law to Extend Hummingbird Lane, by incorporating therein Part 1, Plan 62R-7469
- (c) A-30 By-law to Extend Skylark Drive by incorporating therein Block 29, Plan M-306
- (d) A-31 By-law to Widen Rexford Drive by incorporating therein a portion of Block "AX", Plan M-200
- (e) A-32 By-law to Extend Hummingbird Lane by incorporating therein Reserve "E", Plan No. 1193
- (f) A-33 By-law to Extend Flamingo Drive by incorporating therein Block 18, Plan M-294
- (g) A-34 By-law to Establish Part 1, Plan 62R-7613 and to be named Huckleberry Drive
- (h) A-35 By-law to Extend Skylark Drive by incorporating therein Block 48, Plan 62M-364
- (i) A-36 By-law to Amend By-law 66-100 to Regulate Traffic
- (j) A-37 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse, Secretary

1985 July 22  
Attach.

PROPOSED NEWSPAPER ADVERTISEMENT  
OF NOISE CONTROL BY-LAW

Did you know that Hamilton is a leader in Noise Control?

Did you know that you are legally protected from offending noise if you live in a residential zone?

You can help make Hamilton a quieter, more enjoyable city by respecting the following:

If you have to make noise, remember that your neighbour may not want to listen to it! Common courtesy can solve a lot of noise problems.

If you are hosting a party, remember that one man's music is another man's noise. Please keep your stereo at a reasonable level.

Any sound that can be heard above the normal background can be considered noise and is prohibited according to the City of Hamilton Noise Control By-Law 79-292.

There is no magic hour at which noise must cease. Although certain noises are specifically prohibited between 11:00 pm and 7:00 am, noise that is louder than the normal background is a violation at any time of the day!

If you have any questions regarding Hamilton's Noise Control By-Law, please give us a call at 526-4865.



# REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime Gross Cost of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
Concrete curb, north side only (Section 12, L.I.A)	on Forest Avenue from Ferguson Avenue to Wellington Street.	806-35H	20	\$10,000	\$9,022	\$978	NIL	NIL	\$40

A.16

Finance Committee to determine method of financing.  
Estimated Subsidy: Nil.

Referred to in Section 48 of the Thirteenth Report of the Transport and Environment Committee.

- Estimated cost per metre increased by approx 125% if debentured over 15 years.

DATED at Hamilton this	day of	A.D., 19
E. Matthews	J. R. G. Leach	Commissioner of Engineering
Treasurer		







## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRTEENTH** Report for 1985 and respectfully recommends:

1. That a Museum Division be incorporated in the organizational structure of the Department of Culture and Recreation.

**NOTE:** The above is as a result of Recommendation No. 15 of the Master Plan - To Establish Museum Services Unit.

2. That approval be given, in principle, for the filling of the position of Museum Supervisor subject to review of the job description by the Historical Board and subsequent approval of the job description by the Parks and Recreation Committee.

**NOTE:** The above is as a result of Recommendation No. 16 of the Master Plan - Establish Position Museum Director.

3. That the reporting function of the Local Architectural Conservation Advisory Committee be transferred from the Parks and Recreation Committee to the City's Planning and Development Committee and further that L.A.C.A.C. continue with its close liaison with the Hamilton Historical Board through the appointment of one of its members to that Board.

**NOTE:** The above is as a result of Recommendation No. 18 of the Master Plan - To Transfer Reporting Functions of L.A.C.A.C. to the City's Planning and Development Department.

4. That the Regional Municipality of Hamilton-Wentworth be requested to approve the transfer of the now full-time position of Architectural Historian to the City's Planning Department, and further, that upon approval of such a transfer the balance of the 1985 budget allocation for L.A.C.A.C. be transferred to the City's Planning Department.

**NOTE:** The above is as a result of Recommendation No. 20 of the Master Plan - Transfer of Architectural Historian Position to the City's Planning and Development Department.

5. That the City's Planning Department in consultation with L.A.C.A.C. assess the needs for support staff for the Architectural Historian function to determine how these needs can best be met.

**NOTE:** The above is as a result of Recommendation No. 21 of the Master Plan - Establish the Support Requirements for an Architectural Historian Function.

6. That an option to purchase the property at 153 Belview Avenue, executed by the owners, Robert and Stella Allen on 1985, June 17 and scheduled for closing on/or before 1985 November 30 be completed.

**NOTE:** This property is required in connection with the development of Crown Point West Priority Park. The purchase price of \$25,500.00 is to be charged to account no. 0408-C16086 in which sufficient funds are available to provide for this closing.

7. That an agreement by Owner to Accept Compensation for the property known as 80 Victoria Avenue North expropriated by the City from Leo and Lucille Warren be approved.

**NOTE:** This property is being expropriated in connection with the development of Lansdale Priority Park One. The total compensation of \$66,202.80 plus interest and legal fees not to exceed \$250.00 pursuant to the Expropriation Act is to be charged to Account No. 0408-C76006.

8. That an Option to Purchase requested by the Regional Municipality of Hamilton-Wentworth for City owned land in the area of Greenhill Avenue be accepted by the City and that the Mayor and City Clerk be authorized to execute the agreement in a form satisfactory to the City Solicitor.

**NOTE:** The property is required for an underground sewage storage facility and comprises an area of 13,289.349 m.2 (3.284 Acres more or less). The transaction has a scheduled closing date of 1985 December 23 and is for the purchase price of \$5,272.00.

9. Approval of the awarding of the following contracts:

(a) **STANDARD PAVING CO., Hamilton, Ontario**

Asphalt Paving at Ballard School for  
the total estimated sum of ..... \$12,448.50.

**NOTE:** Lower of 2 quotations.  
Funds provided in account 0364-0519.

(b) **HENDERSON RECREATION EQUIPMENT LTD., Norwich, Ontario**

Supply and install a Steel Creative Playstructure at  
Prince Philip School, Alexander Park, Hamilton, in accordance  
with specifications issued by the Director of Purchasing  
and Vendor's Tender for the total sum of ..... \$12,628.00.

**NOTE:** Lowest of 3 acceptable tenders.  
Funds provided in account 0367-0575.

10. That an expenditure of \$45,000.00 be authorized for recoating all fibreglass seating in Ivor Wynne Stadium (15,234 seats), and that the cost be charged to the Capital Account 3264-A established for rehabilitation of stands at Ivor Wynne.

11. That the City Architect be authorized to apply to the Committee of Adjustment for minor variances to the Zoning By-law to permit enlargement and renovation of the existing press boxes on the south side of Ivor Wynne Stadium.

**NOTE:** The specific variances to be sought are to the height limit of 11 metres from grade and to the required setback from the rear (south) lot line of 10.6 metres. The height is not proposed to be increased nor the setback to be decreased from the present press box, but the variance is required if any alteration or addition is intended.

12. That the voting membership of the Waterfront Parks Advisory Sub-committee be increased to include not more than one representative from the New Crystal Palace Committee.
13. That the action of the Parks and Recreation Committee in giving permission for the Ministry of the Environment to install an Air Monitoring Station at Sackville Hill Park be rescinded.

**NOTE:** The Ministry of the Environment has indicated to the City that their request for an Air Monitoring Station located at Sackville Hill Park and Alexander Park has been withdrawn as alternate locations have been found.

Approval was given for this installation in the Twenty-First Report of the Parks and Recreation Committee on 13 November 1984.

14. That authorization be given to the Forestry Section of the Parks Division to remove seven trees from along side of the soccer field at Mt. Lions Park.
15. (a) That authorization be given to pay an invoice from Philip Enterprises Inc. for the disposal of excavated material from the area of Quigley Road and the Redhill Creek at a total cost of \$16,916.70.
- (b) That funds be allocated to the Streets Division of the Public Works Department for additional work in connection with the above at an estimated cost of \$13,000.00.
- (c) That the Finance Committee recommend the method of financing the total cost of \$29,916.70.
16. That application by Hamilton-Wentworth Creative Arts to host Festival of Friends in Gage Park from August 9th-11th inclusive between the hours of 12:00 o'clock noon and 10:30 o'clock p.m. be approved subject to the following terms and conditions:
  - (a) That \$2,000,000.00 Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as a named insured be provided.
  - (b) That the location of various booths and activities within the park be subject to the approval of the Parks Division in order to reduce damage and high maintenance costs.
  - (c) That discussion take place with the Hamilton-Wentworth Regional Police regarding police supervision and traffic control, all associated costs to be the responsibility of the organizer.



- (d) That the bandshell rental fee of \$30.00 per day be applicable.
  - (e) That the organizer assume "actual labour charges" associated with the event as reported by the Parks Division subsequent to Parks Division representatives meeting with the organizer.
  - (f) That the organizers arrange for public announcements throughout the event advising the general public that dogs must be kept on a leash, and that owners be urged to clean-up after their dogs.
17. That the Kilty "B" Hockey Team be accommodated for their home games during the 1985-86 season as follows:
- (a) **Lawfield Arena** - Saturday evenings - 1985 September 7 to 1986 January 4 (inclusive).  
  
**Mountain Arena** - Tuesday evenings - effective 1986 January 7th.
  - (b) That the rental rate as agreed upon by the applicant, be as follows:
    - (i) Minimum \$500.00 per game or 30% of the gate receipts, whichever is greater, plus cost of casual labour required to meet their needs upon transferring to the Mountain Arena.
    - (c) That the Mountain Arena be made available 1986 January 1, 2:00 o'clock p.m. for the World Championship Games sponsored by the Kilty "B"s (U.S.A. vs. Germany) at the rental rate of \$1,000.00 minimum or 20% of gross gate receipts, whichever is greater, plus cost of casual labour.
18. That the increases for the rental of School and Recreation Centre Gymnasias as listed on the attached Schedule "B" be approved for the 1985-86 season.
19. (a) That as proposed in the Master Plan for Culture and Recreation establish two levels of Membership rates be established:
- (i) Membership for use at one recreation centre only.
  - (ii) Membership card for use at any recreation centre, arena, outdoor pool.
- (b) That because the annual membership fee for Recreation Centres is for the period of time commencing from the date of purchase to Labour Day, provision be made to institute pro-rated fee reductions on February 1, and June 1, for those memberships purchased part-way through the season.
  - (c) That the summer Family Membership category be deleted as a result of the above recommendation.
  - (d) That the non-resident fee for Recreation Centre Memberships be adjusted from the present fixed fee system to one of a 30% surcharge (to the nearest dollar) over the resident Membership Fee.
  - (e) That the rates and fees for Recreation Centres as outlined on Schedule "A" attached be approved for the 1985-86 season.

20. (a) That in order to promote the sale of arena memberships provision be made to institute a pro-rated fee reduction of 50% on February 1st for those memberships purchased part-way through the season.
- (b) That non-residents fees for Arena memberships be altered from the present fixed fee system to that of a 30% service charge (to the nearest dollar) over the resident membership fee to coincide with the approved policy for the Golf Course Memberships.
- (c) That the fee increases for Arenas as outlined on the attached Schedule "C" be approved for the 1985-86 season.
21. That the delegate representing the City of Hamilton at the 1985 Canadian Parks and Recreation Association Annual Conference to be held 1985 August 11-15 in Edmonton, Alberta be authorized to extend a formal invitation on behalf of the City of Hamilton to host the 1989 Annual Conference in the City of Hamilton.
22. That authorization be granted to the Laurier Playground Fundraising Committee to hold a fund-raising activity on Saturday, 1985 August 31 between 1:00 o'clock and 4:00 o'clock p.m. with activities which include the following:
- (i) Classic Chevy Car Club Display on parking lot.
  - (ii) Sale of refreshments on grounds of centre.
  - (iii) Static and Active Displays of a variety of recreation activities.
  - (iv) Barbeque on pool patio.
  - (v) Movies - admission charge of 25¢.

**NOTE:** It is understood that all proceeds will be utilized for the purchase of a Playstructure scheduled for purchase in 1986.

23. That approval be given to the Canadian Football Hall of Fame Induction Dinner Committee to use the grounds of Whitehern and tour the house and that charges be waived for these services but that the Induction Committee be asked to consider a donation to the conservation of Whitehern artifacts.
24. For the information of the Members of City Council the regularly scheduled meeting for the Park and Recreation Committee on Thursday, 1985 August 15th has been rescheduled to Thursday, 1985 August 22 at 2:00 o'clock p.m.

**NOTE:** The above rescheduling is as a result of many members attending the Canadian Parks and Recreation Annual Conference.

**Respectfully submitted,**

**Alderman B. Hinkley, Chairman  
Parks and Recreation Committee**

S. K. Reeder  
Acting Secretary

1985 July 11

CULTURE AND RECREATION DEPARTMENT  
PROPOSED GYMNASIA RATES - 1985-86 SEASON

As referred to in  
Section 18

SCHEDULE "B".

GYMNASIA RENTALS-FOR EACH 4 HR. PERIOD OR PART

	<u>Existing</u>		<u>Proposed</u>	
	Weekdays	Weekends	Weekdays	Weekends
A. Subsidized rates for the following:				
1. Children and youth groups including Cubs, Scouts, Brownies, and Guides etc.	\$6.00	\$21.00	\$7.00	\$23.00 or \$7/hr *
2. Community Council Meetings	\$11.00	\$21.00	\$12.00	\$23.00
3. St. Johns Ambulance	NO CHARGE		NO CHARGE	
B. Adult Groups (non-subsidized) for each 4 hr period or part				
1. Public Elementary School (6) (-2 caretakers)	\$26	\$64	} \$34 or \$10/h *	\$64 or \$17/h *
2. Public Elementary School (70)	\$34	\$64		
3. Vocational Schools (6)	\$21	\$64		
4. Public Secondary Schools (7)	\$21	\$64		
5. Separate Schools	\$34	\$40		
6. Elementary Schools Recreation Centres (5)	\$17	\$24 or \$64		
7. Secondary Schools Recreation Centres (5)	\$17	\$30 or \$64		
8. Second Gym with above rentals	\$6	\$6	\$7	\$7
9. Independent Recreation Centres	\$34	\$40	\$10/h *	\$17/h *

- NOTES: 1. \* Hourly rate applicable if 4 hour period is fully time-shared.  
2. All groups could be required to pay for damages and any clean up costs considered to be over and above the norm.

July 5, 1985



## CULTURE AND RECREATION DEPARTMENT

As referred to in Section 19(e)

1985-86RATES AND FEES - RECREATION CENTRES

	<u>EXISTING</u>		<u>PROPOSED</u>			
	Resident	Non-Resident	<u>Single Centre Membership</u>		<u>City-Wide Membership</u>	
			Resident	Non-Resident	Resident	Non-Resident
<u>ANNUAL MEMBERSHIPS</u>						
Family	\$ 42.00	67.00	\$ 45.00	\$ 59.00	\$ 60.00	\$ 78.00
Adult	26.00	41.00	30.00	39.00	40.00	52.00
Youth (under 18 yrs)	8.25	13.25	10.00	13.00	15.00	20.00
Child (under 13 yrs)	6.25	10.25	8.00	10.00	10.00	13.00
Pensioners & Special Needs	3.00	5.00	4.00	5.00	6.00	8.00
Special Interest Course -Adult (for which additional costs are levied for instructors)	6.25	6.25	6.25	6.25	6.25	6.25
Replacements	1.00	1.00	1.00	1.00	1.00	1.00

NOTE:-Annual Membership Fee will be reduced by approximately 25% on both February 1 and June 1, and will expire on Labour Day of each year.

-City Wide Memberships to be valid at City operated Recreation Centres, Arenas and Outdoor Pools

AQUATIC FEES:

Winter	3.15	3.15	5.00	5.00	5.00
Summer:	2.10	2.10			

NOTE: The above is in addition to the Membership Fee outlined above and is utilized to offset the costs of swimming awards and related printed materials. This fee will be proportionately reduced Feb. 1 and June 1 and expire Labour Day.

## CULTURE AND RECREATION DEPARTMENT

RATES AND FEES - RECREATION CENTRES1985-86SINGLE ADMISSION TICKETS

	<u>Existing</u>	<u>Proposed</u>
Family	\$3.15	\$3.50
Adult	1.55	2.00
Youth	.75	1.00
Child	.50	.75
Pensions and Special Needs	.50	.75

ROOM RENTALS

## Non-Profit Community Use:

Adults	\$10.00 hr.	\$10.00 for first hr; \$5.00 hr. thereafter
Children and Youth	\$ 5.00 hr.	\$ 5.00 hr.
Social and Special Events	\$25.00 hr.	\$25.00 hr.
St. John's Ambulance Training Programs	No Charge	No Charge

POOL RENTALS

Swimming Pool	\$45.60 hr. (includes 2 lifeguards)	\$50.00 hr. (includes 2 lifeguards)
Hot Pool	-----	\$10.00 hr.

CULTURE AND RECREATION DEPARTMENT  
PROPOSED ARENA RATES - 1985-86 SEASON

As referred to in  
Section 20(c)

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>COMMENTS</u>
<u>A. ICE RENTALS - WINTER</u>			
Youth non-prime time	\$36/h	\$40/h	Prime Time is Mon. to Fri. 6:00p.m. to 1:00a.m. Sat. & Sun. 6:00a.m. to 1:00a.m.
Youth prime time	\$52/h	\$55/h	
Adult non-prime time	\$52/h	\$55/h	
Adult prime time and Limited Spectators - revenue producing	\$78/h	\$80/h	
H.I.A.C. Games (revenue producing)	the greater of \$155 or 10% of the gross gate receipt	\$175	Flat fee for up to 3 hrs. (based on fixed admission fee of .50)
NOTES: 1. No increase for rates at Scott Arena			
2. Junior A (&B) rates-change to as negotiated and subsequently approved by the Committee.			
3. Minor Hockey and ringette rates previously approved (Feb.'85)			
<u>B. ICE RENTALS - SUMMER-LAWFIELD</u>			
Youth	\$63/h	\$65/h	
Adult non prime time	\$63/h	\$65/h	
Adult prime time	\$63/h	\$80/h	
<u>C. SPECIAL EVENTS - WINTER</u>			
Community Group- fund raising for Recognized Charity Mountain Arena	lesser of \$78/h or \$250 for 3 hrs	All Arena Adult Prime- time rate	Casual labour and set up/ clean up costs as required Set up time which cancels or denies the use of the arena to others will be charged at actual revenue lost or \$25/hr.
Other Arenas	lesser of \$78/h or \$200 for 3 hrs.		

- NOTES: 1. Commercial Rates - no increase except to add - Set up time which cancels or  
denies the use of the arena by others will be changed at  
actual revenue lost or \$25/hr.
2. Any deviation from the "Special Events" rates due to circumstances will be  
forwarded to the committee for consideration.



RES./NON RES.RES./NON RES.D. MEMBERSHIPS (CITY WIDE)

Family	\$26/\$46	\$26/\$34	Membership fees (except replacements) will be reduced by approximately 50% on February 1st.
Adult	\$15.75/\$27.75	\$16/\$21	
Youth	\$7.25/\$12.25	\$8/\$10	
Child (under 13yrs.)	\$5.25/\$8.25	\$6/\$8	
Pensioners & Special	NO RATE	\$6/\$8	
Replacements	.25	\$1.00	

E. SINGLE ADMISSION TICKETS

	aft./eve.	aft./eve.
Family	\$2.10/\$2.10	\$2.25/\$2.25
Adult	.75/ 1.05	1.00/ 1.25
Adult (shinny)	1.00/—	1.00/—
Youth	.50/.75	NO INCREASE
Children	.25/.25	NO INCREASE
Parent and Pre-school	.50	NO INCREASE
Pensioners and Special	—	.25/.50

F. SUMMER - GENERAL ASSEMBLY

Community Groups- no admission or revenues or revenue producing for recognized charity	Mountain Arena \$150 min. for 4 hrs. \$25 thereafter plus casual labour and clean up costs as required - extra	\$25/hr. casual labour and set up/clean up costs as required - extra. Statutory Holiday premium overtime and 3rd (overnight) shift costs as required -extra.
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Commercial-Revenues to  
Recognized charity

Mountain Arena

\$800/day or \$500 per event if more than one per day, or 10% of gross gate receipts which ever is greater. Casual labour and clean-up costs if required-extra

Other Arenas

Same as above except \$300/day or \$200 per event.

\$1000/day or \$700 per event if more than one per day. Casual labour, set up/clean up costs. Statutory Holiday premiums, overtime and 3rd (overnight) shift costs as required - extra.

same as above except \$500 per day or \$350/event.

Commercial

\$1200 per performance  
or 15% of gross gate  
receipts whichever is  
greater.

\$1400 per performance  
all added cost as above  
and as required - extra

Advanced Deposit

NIL

10% (\$25 min., \$140 max.)  
to be applied to rental  
\$25 is non-refundable.  
Remainder of deposit-non  
refundable if event cancelled  
less than 9 days prior to  
the event.

NOTE: Any deviation from the above rates, due to special circumstances, to be forwarded  
to the committee for consideration.

G. VARIOUS RENTALS - OTHERS

Lounge/Meeting rooms - no increase recommended  
Lacrosse - no increase recommended  
Rink Surface  
(other than Lacrosse)-no increase recommended









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-SECOND** Report for 1985 and respectfully recommends:

1. That approval be given to **Zoning Application 85-45, Marz Homes Limited, owner**, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at No. 1179 Upper Sherman Avenue, as shown on the attached plan marked as APPENDIX "A", on the following basis:
  - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, and Zoning District Map E-38B;
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

The effect of the by-law is to permit the subdivision of the land for the purpose of constructing single-family dwellings.

2. That approval be given to an amended **Zoning Application ZA 85-46 by Bernard James Tompkins, owner**, for a modification to the "J" (Light and Limited Heavy Industry, etc.) District provisions for property located at No. 201 Ferguson Avenue South, as shown on the attached plan marked as APPENDIX "B" on the following basis:
  - (a) That the "J" (Light and Limited Heavy Industry, etc.) District provisions as contained in Section 16 of Zoning By-law no. 6593, applicable to the subject property, be modified to include the following variance as a special requirement:
    - (i) That notwithstanding Section 16 (1) of Zoning By-law No. 6593, a single-family dwelling shall be permitted subject to the provisions of Section 10 of Zoning By-law No. 6593.



- (b) That the amending by-law be added to Section 19B of Zoning By-law 6593 as Schedule S-920, and that the subject lands on Zoning District Map E-5 be notated S-920;
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-5;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to modify the established "J" (Light and Limited Heavy Industry, etc.) District provisions applicable to property located at No. 201 Ferguson Avenue South as shown on the attached plan marked as APPENDIX "B".

The effect of the by-law is to permit the erection of a new single-family dwelling.

3. (A) That approval be given to **Application SA 85-01, Robert Shelley Construction Limited, et al, owners**, to establish a draft plan of subdivision to the north-west of Stone Church Road East and Upper Gage Avenue, subject to the following conditions:
  - (i) That this approval apply to the plan prepared by A. J. Clarke and Associates, dated 1985 February 18 revised to exclude Block 75 and to show Block 60 on a previously non-designated block at the corner of Rexford Drive and proposed Robertsfield Drive, various blocks to be developed in conjunction with abutting lands and for 0.3 m reserves and Block 61 for widening of Upper Gage Avenue.
  - (ii) That the owner acquire sufficient land to establish Rexford Drive in full prior to development of Lots 16 to 20 and Blocks 54 to 57.
  - (iii) That the road allowances and widening for Upper Gage Avenue be dedicated as public highways on the final plan.
  - (iv) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (v) That the proposed subdivison conform with the zoning by-law approved under The Planning Act.
  - (vi) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  - (vii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (viii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.

- (ix) That the dead-ends and open side, of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  - (x) That Blocks 55 to 57 inclusive, be developed only in conjunction with abutting lands, and Block 53 and 54 be developed by a part-lot control by-law in conjunction with abutting lands.
  - (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
  - (xii) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA 85-01), Robert Shelley Construction Ltd., et al, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (B) That approval be given to **Zoning Application ZA 85-47, by Robert Shelley Construction Ltd., Canada Permanent Trust Company, Sunshine Homes Ltd., and DiCenzo Construction Company Ltd., owners,** requesting a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District modified to "R-4" (Small Lot Single-Family Dwellings, etc.) District for property located on both sides of Rexford Drive in the area north of Stone Church Road East, as shown on the attached plan marked as APPENDIX "C", on the following basis:
- (a) That the subject lands be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
  - b) That the "R-4" (Small Lot Single-Family Detached) District provisions as contained in Section 9A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:
    - (i) That notwithstanding Section 9A(1) of Zoning By-law No. 6593, only single-family dwellings and accessory buildings or structures shall be permitted.
  - c) That the Amending By-law be added to Section 19B of Zoning By-law 6593 as Schedule S-629a and S-328a, and that the subject lands on Zoning District Map E38-C be notated S-629a and S-328a;
  - d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, and Zoning District Map E38-C; and

- e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "R-4" (Small Lot Single-Family Detached) District modified for property located on both sides of Rexford Drive in the area north of Stone Church Road East, as shown on the attached key plan.

The effect of the by-law is to permit the future development of a subdivision for only "small lot" single-family detached dwellings and accessory buildings or structures.

4. (A) That approval be given to **Zoning Application 85-16, Stewart Fletcher, owner**, requesting a modification to the established "M-13" (Prestige Industrial) District for property located at No. 90 Dartnall Road, as shown on the attached plan marked as APPENDIX "D", on the following basis:
- (i) That Section 4(3) (a) of Zoning By-law No. 6593 shall not apply;
  - (ii) That the "M-13" (Prestige Industrial) District regulations applicable to the subject lands be modified to include the following variances and restrictions:
    - (A) that notwithstanding the provisions of Section 17E(1) of By-law No. 6593, the following additional uses shall be permitted:
      - (I) the existing single-family residential dwelling and repair garage use located on the property;
      - (II) construction equipment rental;
      - (III) construction excavating and grading business;
      - (IV) dump truck transport haulage;
    - (B) That the provisions of Section 17E(2) (i) of By-law No. 6593 shall not apply;
    - (C) That notwithstanding the provisions of Section 17E(2) (b) (ii), the side yards existing on the date of passing of this by-law shall be retained for the existing buildings only;
    - (D) That notwithstanding the provisions of Section 17(2)(c)1.(i) By-law No. 6593, the lot shall have a width of not less than 28.8 metres;



- (iii) That the amending by-law added to Section 19B of Zoning By-law No. 6593 as Schedule S-921, and that the subject lands on Zoning District Maps E-59D and E-69D be notated S-921;
  - (iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-59D and E-69D; and,
  - (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (B) That approval of the amending by-law be withheld until such time as the following conditions are satisfied:
- a) Proof of registration of an approved Site Plan Control Agreement; and
  - b) Removal of all refuse and inoperative vehicles from the site.

**Explanatory Note:** - The purpose of the by-law is to provide for a modification to the established "M-13" (Prestige Industrial) District regulations applicable to the lands located at No. 90 Dartnall Road, as shown on the attached plan marked as APPENDIX "D".

The effect of the by-law is to permit the following uses:

- (a) the existing single-family dwelling and repair garage use located on the property;
- (b) construction equipment rental;
- (c) construction excavating and grading business;
- (d) dump truck transport haulage;

The by-law also provides for the following special provisions:

- a) to permit the proposed uses to be located within 90 metres of the existing residential dwelling located at No. 100 Dartnall Road;
  - b) to permit a minimum side yard of 1.02 metres only for the buildings established at the date of passage of this by-law as opposed to a minimum width of 9.45 feet as required;
  - c) to permit a minimum lot width of 28.8 metres as opposed to a minimum width of 30.0 metres.
5. That approval be given to **Zoning Application ZA 85-44 by Keith Cody, owner**, for a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District applicable to property located at Nos. 273 and 279 East Avenue North as shown on the attached plan marked as APPENDIX "E" on the following basis:

- (a) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District provisions as contained in Section 10 of Zoning By-law 6593, applicable to the subject property, be modified to include the following variances as special requirements.
  - (i) That notwithstanding Section 10(1) of Zoning By-law No. 6593, an office shall be permitted as an ancillary use to the warehouse use on property located at Nos. 273 and 279 East Avenue North;
  - (ii) That the ancillary office use shall occupy not more than 10% of the gross floor area of the warehouse;
- (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-172a and Schedule S-437a, and that the subject lands on Zoning District Map E-12 be notated S-172a and Schedule S-437a;
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-12;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** - The purpose of the by-law is to provide for a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings etc.) District regulations for property located at Nos. 273 and 279 East Avenue North as shown on the attached key plan.

The effect of the by-law is to permit an office as an ancillary use to a warehouse.

In addition, the by-law limits the size of the office to not more than 10% of the gross floor area of the warehouse.

- 6. (A) That approval be given to **Official Plan Amendment No. 31** to establish a change in land use designation from "Residential" to "Commercial" for the lands shown as Blocks "2", "3" and "4" on the attached map marked as APPENDIX "F"; and that Special Policy Area No. 33 be established for the lands shown as Blocks "1", "2", "3" and "4" on APPENDIX "F", to prohibit high traffic generator uses such as restaurants and other places of assembly; and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing.
- (B) That approval be given to **Zoning Applications 80-70 Gordon Allan Eaton and Mary Olive Eaton, owners; ZA 80-79, E. Monkley owner; ZA 80-66, Isobelle Forster, owner and authorized adjoining property owners; 80-82, Abbotsford Homes Limited, owner; 83-59, L. Patrick, B. Brown, owner; and City Initiative 85-G**, for properties located on Upper Wentworth Street, shown as Blocks "1", "2", "3" and "4" on the attached map marked as APPENDIX "F" on the following basis:

- (i) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- (ii) That the lands shown as Block "2" be rezoned from "AA" (Agricultural) District, "C" (Urban Protected Residential) District and "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (iii) That the lands shown as Block "3" be rezoned from "AA" (Agricultural) District and "B-1" (Suburban Agricultural and Residential) District to "HH" (Restricted Community Shopping and Commercial) District;
- (iv) That the lands shown as Block "4" be rezoned from "C" (Urban Protected Residential) District and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (v) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of By-law No. 6593 applicable to the lands shown as Blocks "1", "2", "3" and "4" be modified to include the following variance as a special requirement:
  - (A) That notwithstanding Section 14A(1) the following uses shall be prohibited.
    - (I) Public uses referred to in clause (viii) of subsection 11.(1) of By-law No. 6593;
    - (II) COMMERCIAL USES referred to in clause (vii) of subsection 13(1); "an auctioneer's premises" as contained in clause (xiv) of subsection 14(1); clauses (ca, cb) of subsection 14A(1) of By-law No. 6593.
- (vi) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-922, and that the subject lands on Zoning District Maps E-18A and E-27 be notated S-922;
- (vii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-18A and E-27.
- (viii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 31.
- (ix) That the Bruleville Neighbourhood Plan be amended by redesignating the lands shown as Block "4" from "Civic and Institutional" to "Commercial".



**Explanatory Note:** - The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District, "B-1" (Suburban Agriculture and Residential) District, "C" (Urban Protected Residential) District and "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for properties located on Upper Wentworth Street in the area south of Mohawk Road, shown as Blocks "1", "2", "3" and "4" on the attached map marked as APPENDIX "F".

The effect of the by-law is to permit future commercial development on the subject lands. In addition, the by-law provides for a modification to the "HH" (Restricted Community Shopping and Commercial) District regulations to prohibit the following uses:

#### **PUBLIC USES**

- a) a private club, lodge, fraternity or sorority house or labour union hall, which may include sleeping accommodation for not more than twenty persons.

#### **COMMERCIAL USES**

- a) a restaurant or refreshment room without any dancing or other entertainment except music;
  - b) an auctioneer's premises;
  - c) a tavern;
  - d) a billiard room, bowling alley, shooting gallery, penny arcade, public hall, music hall, theatre or other place of amusement;
7. (A) That approval be given to **Application SA 85-03, Suncor Inc., owners**, to establish a draft plan of subdivision located along the east and west sides of Queen Victoria Drive between Loconder Drive and Quaker Crescent, subject to the following conditions:
- (i) That this approval apply to the area of Lots 1 to 14 and Block "C" (walkway) of the Plan prepared by May, Pirie and Associates dated 1985 February 15 revised to show the area of Lots 1 to 7 reduced to 6 lots.
  - (ii) That the final plan conform with the zoning by-law approved under The Planning Act.
  - (iii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  - (iv) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

- (v) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
  - (vi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
  - (B) That the subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA 85-03), Suncor Inc., owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
8. That approval be given to the proposed **Amendment No. 15** to the Hamilton-Wentworth Official Plan subject to the following:
- (a) Proposed Amendment No. 15 to the Hamilton-Wentworth Official Plan is in keeping with the planning intentions of the City of Hamilton; and
  - (b) The City Clerk be directed to so advise the Ministry of Municipal Affairs and Housing.

**Explanatory Note:** - The Ministry of Municipal Affairs and Housing has requested the City's comments on proposed Amendment No. 15 to the Hamilton-Wentworth Official Plan. The purpose of this amendment is to relocate the Airport Industrial Business Park from west of Highway 6 (between Twenty Road and Dickenson Road in Glanbrook) to the Highway 6 corridor from the City Limits to Mount Hope and to establish the appropriate policies of the development of this area. The City has previously commented to Hamilton-Wentworth Planning and Development Committee that this Amendment "is in keeping with the planning intentions of the City". In adopting this Amendment, the Hamilton-Wentworth Council incorporated a number of revisions which do not affect the City's planning intentions.

9. That approval be given to proposed **Amendment No. 18** to the Hamilton-Wentworth Official Plan subject to the following:
- (a) Proposed Amendment No. 18 to the Hamilton-Wentworth Official Plan will have no effect on the planning intention of the City of Hamilton; and
  - (b) The City Clerk be directed to advise the Hamilton-Wentworth Planning and Development Committee accordingly.

**Explanatory Note:** - The Hamilton-Wentworth Planning and Development Committee has requested comments from the City on proposed Amendment No. 18 to the Hamilton-Wentworth Official Plan. The proposed amendment would permit the establishment of a retail warehouse operation in Stoney Creek Industrial-Business Park.

10. That approval be given to **City Initiative 85 -I**, to modify the established "B-1" (Suburban Agricultural and Residential, etc.) District regulations applicable to lands located at Nos. 32-120 Pottruff Road, as shown on the attached map marked as APPENDIX "G", and to modify the established "B" (Suburban Agriculture and Residential, etc.) District regulations applicable to lands located at Nos. 167-265 Pottruff Road, as shown on the attached map marked as APPENDIX "H", on the following basis:

(a) That the "B-1" (Suburban Agriculture and Residential, etc.) District provisions as contained in Section 8A of By-law No. 6593, applicable to the lands shown on APPENDIX "G", be modified to include the following variance as a special provision.

(i) That notwithstanding Section 8A. (3) (i) the required front yard shall be no less than that which existed for any building or structure on the date of the passing of this by-law, except that where a building or structure is proposed to be erected on a vacant lot between buildings on adjoining lots, the minimum front yard depth shall be the greater of the existing front yards for either adjoining lots.

(b) That the "B" (Suburban Agriculture and Residential, etc.) District provisions as contained in Section 8. (3) (i) of By-law No. 6593, applicable to the lands shown on APPENDIX "H", be modified to include the following variance as a special provision:

(i) That notwithstanding Section 8. (3) (i) the required front yard shall be no less than that which existed for any building or structure on the date of the passing of this by-law, except that where a building or structure is proposed to be erected on a vacant lot between buildings on adjoining lots, the minimum front yard depth shall be the greater of the existing front yards for either adjoining lot.

(c) That the Amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-923, and that the subject lands on Zoning District Maps E-94 and E-95 be marked S-923.

(d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-94 and E-95.

(e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** - The purpose of the by-law is to provide for modifications to the front yard requirements for the established "B-1" (Suburban Agriculture and Residential, etc.) District applicable to the lands located at Nos. 32-120 Pottruff Road, as shown on the attached map marked as APPENDIX "G" and the "B" (Suburban Agriculture and Residential, etc.) District applicable to the lands located at Nos. 167 - 265 Potruff Road, as shown on the attached map marked as APPENDIX "H".



The effect of the by-law is to maintain the existing streetscape by requiring a front yard setback for new development at least as great as that existing on the date of the passing of the by-law, except for infill situations where the minimum front yard depth shall be the greater of the existing front yards for either adjoining property.

**11. Closure of Walkway Between Peacock Place and Bobolink Road**

- (a) That the public access at the end of Peacock Place be closed with a chain link fencing (approximately 10 feet); and
- (b) That the Director of Public Works be authorized and directed to undertake these works; and
- (c) That the Finance Committee be requested to recommend the method of financing in the amount of approximately one hundred and twenty-five dollars (\$125.00).

**12. Phase II - Downtown Hamilton Action Plan; James Street Light Fixtures**

- (a) That the Contracline Globe light fixture be used on the east and west sides of James Street from Main Street to King William Street terminating generally south of 38 James Street North.
- (b) That the Pericline Series 73000 Coach Lantern light fixture be utilized on the east and west sides of James Street North, commencing at King William Street, generally north of 38 James Street North and continuing north to Vine Street.

13. That the Annual Report and audited financial statements for 1984, of the Downtown Promenade Business Improvement Area, attached hereto as APPENDIX "I" be received by City Council.

14. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.).

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

**Ontario Home Renewal Programme**

- |    |              |                          |
|----|--------------|--------------------------|
| a) | M. Holbourne | 267 East 21st            |
| b) | E. Dawe      | 109 Cameron Avenue South |

- |    |             |                                |
|----|-------------|--------------------------------|
| c) | A. Cottone  | 54 Barton Street East          |
| d) | J. Dickson  | 219 Fairleigh Avenue South     |
| e) | M. Murphy   | 148 East 26th Street           |
| f) | V. Bryce    | 205 Dumbarton Avenue           |
| g) | C. Smith    | #406 - 1968 Main Street West . |
| h) | B. Galewich | 62 Beaucourt Road              |

#### **Hamilton Rehabilitation Programme**

- |    |           |                   |
|----|-----------|-------------------|
| a) | S. Settle | 288 Bowman Street |
|----|-----------|-------------------|

15. (a) That the banner designs as concurred in by the business associations extant within the "Study Area" of the Downtown Hamilton Action Plan be implemented;
  - (b) That in accordance with their Agreement with the City of Hamilton, the firm of Moorhead Fleming Corban McCarthy undertake to prepare and submit to this Committee for approval, proposals for a banner of "generic" design suitable for use throughout the "Study Area" where business associations do not exist; and
  - (c) That the firm of Moorhead Fleming Corban McCarthy be authorized and directed to prepare specifications and call for proposals for the production and installation of the banners, and necessary fittings, as per (a) and (b) above.
16. (a) That a Multi-Service Centre be established to service the McQuesten Neighbourhood at Roxborough Park Presbyterian Church and portions of St. Helen's School, at a cost not to exceed \$120,000. Sufficient funds are available in the McQuesten O.N.I.P. Account.
  - (b) That the City Solicitor be hereby authorized and directed to prepare suitable legal agreements for (a) above and that the Mayor and City Clerk be authorized to execute same on behalf of the City Corporation.
17. Approval of the awarding of the following contract:

#### **O'Brien Contracting Inc., Breslau, Ontario**

For the supply and delivery of 80 mm interlocking paving bricks.....\$13,800.

**Note:** Only quotation received by Public Works Department.  
Funds provided in account 0393-3323

18. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:
  - (a) 926 Burlington Street East
  - (b) 934 Burlington Street East
  - (c) 946 Burlington Street East
  - (d) 160 Birch Avenue
  - (e) 1425 Barton Street East
  - (f) 607 Main Street East
  - (g) 576 Concession Street
19. That the City Solicitor be authorized to prepare a by-law for the demolition of the vacant attached single family dwelling at 323 - 325 Wentworth Street North and the site cleared as required on the Order dated 1985 April 03 and issued pursuant to Section 31 (7) of the Planning Act, 1983 and registered in the Land Registry Office on 1985 May 30 as Instrument No. 314120 C.D.
20.
  - (a) That approval be given for a release of covenants 1, 5, 6, 7 and 8 in a deed registered on title from the City of Hamilton to Rescom Construction Limited, on June 30th, 1966 under Instrument No. 18578 A.B. in respect of 600 John Street North and 35 Brock Street.
  - (b) That the City Solicitor be directed to prepare the necessary release documentation.
21.
  - (a) That the Region be authorized to proceed immediately to install sewer and water services to the lots fronting on Goderich Road in Kenora Industrial Park.
  - (b) That the estimated cost of \$106,000. be charged to account number 0280-02.
22. That an Offer to Purchase the lands of The Corporation of the City of Hamilton, on the south side of Burlington Street East duly executed on 1985 June 18 by the Purchaser, O'Sullivan Automotive Ltd. and scheduled for closing on 1985 December 20 be completed.

The property is composed of a parcel of land located on the south side of Burlington Street East, having a frontage of 39.624 m (130 feet) more or less by a depth of 57.837/54.368 m (189.75/179.02 feet) more or less and containing an area of .5472 acres more or less and more particularly described as all of Parts 45 - 48, 113 and part of Parts 44, 58, 61, 62, 66, 67, 80 to 88 on Plan 62R-6161.



The purchase price is \$53,000.00. A deposit cheque in the amount of \$2,000.00 is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor upon completion of this transaction will pay 6% real estate commission to Montreal Trust, whose agent, Mr. Wally Stukaylo, acted in this matter.

This transaction includes special building covenants, agreements and restrictions attached hereto, as APPENDIX "J".

The closing of this transaction is conditional upon:

- (a) The passing and registration of a by-law to stop-up, close and authorize the sale of that portion of the herein land known as Beta Street, namely Part 113, 62R-6161 to the herein purchaser, at the sum of \$26,629.00 which is a portion of the herein full sale price of \$53,000.00; and
- (b) The approval of the Regional Municipality of Hamilton-Wentworth to the passage of the said by-law; and

In the event this condition is not fulfilled or waived in writing by the Vendor, prior to the date of closing of this transaction, this Agreement shall be terminated, being null and void and the deposit shall be returned to the Purchaser without interest or deduction for cancellation and the Vendor shall not be liable for any damages or costs.

23. That an Option to Purchase the property at 390 Birch Avenue duly executed by Mary Sekela on 1985 June 27 and scheduled for closing on or before 1985 September 23 be completed.

This property required in connection with the acquisition of lands in the Alpha Enclave (Plan 4) has a frontage of 8.38 m (27.5 feet) by a depth of approximately 31.39 m (103 feet) with structures erected thereon. The purchase price of \$23,400.00 is to be charged to account 0280-35.

24. That an Offer to Purchase a 1' Reserve along the west side of Magnolia Drive executed on 1985 July 02 by the Purchaser, Spallacci Construction Limited and scheduled for closing on 1985 October 04 be completed.

This is a 1' Reserve (0.3 m) described as Block D, Plan M-109, and part of Block B, Plan M-71, also described as Part 14, Plan 62R-7251 containing 315 square feet (96 m<sup>2</sup>), more or less, along the westerly limit of Magnolia Drive.

The purchase price is \$24,905.66. A deposit cheque in the amount of \$2,500.00 is being held by the City Treasurer pending Council approval.

25. (a) That the Corporation of the City of Hamilton accept the sum of \$49,420.77 as cash payment in lieu of 5% dedication in connection with "Gilkson Woods Addition - Phase 4", final plan of subdivision.

- (b) That the Corporation of the City of Hamilton accept the sum of \$130,197.62 as cash payment in lieu of 5% dedication in connection with "Strawberry Hill" final plan of subdivision

**Note:** These land are located east of Upper Paradise Road, between the proposed Mountain Freeway and Stone Church Road West in the Gilkson Neighbourhood, Hamilton.

26. That the total holdback in the amount of \$10,250.53 be released to O'Brien Contracting Inc. forty-five (45) days following written confirmation by the Regional Engineer of completion of the remedial works to the roadway on the south leg of King Street between James and Hughson Streets.
27. That leave be granted to introduce the following Bills:-
- |               |   |
|---------------|---|
| (a) Bill C-63 | By-law to Amend By-law No. 83-71 Respecting Membership in the Board of Management of the Improvement Area Generally Bounded by King William Street, Mary Street, Main Street East and James Street North. |
| (b) Bill C-64 | By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at 323 - 325 Wentworth Street North.   |
| (c) Bill C-65 | By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the East Side of Upper Wellington Street and North of Stone Church Road East.  |
| (d) Bill C-66 | By-law to Repeal By-law No. 85-37 Respecting Land Located at Municipal No. 3 Garrow Drive.  |
| (e) Bill C-67 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 236 - 242 Catharine Street South.  |
| (f) Bill C-68 | By-law to Adopt Official Plan Amendment No. 30 Respecting Lands Located in the Area East of Quigley Road and South of the T. H. and B. Railway Tracks.  |
| (g) Bill C-69 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1305 Limeridge Road East.   |
| (h) Bill C-70 | By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 19 Bold Street.   |

- (i) Bill C-71 By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at Municipal No. 162  
Hunter Street East.
- (j) Bill C-72 By-law to Amend Zoning By-law No. 6593  
Respecting Lands Located on the East and West  
Sides of Queen Victoria Drive at Loconder Drive.
- (k) Bill C-73 By-law to Amend Zoning By-law No. 6593  
Respecting Land Located on the West Side of  
East Avenue North, North of Robert Street.
- (l) Bill C-74 By-law to Amend Zoning By-law No. 6593  
Respecting Lands Located in the Area East of  
Quigley Road and South of the T. H. and B.  
Railway Tracks.
- (m) Bill C-75 By-law to Authorize Demolition and Clearing of  
Buildings, Structures, Debris or Refuse at  
257 Barton Street West.

Respectfully submitted,

**Alderman W. M. McCulloch, Chairman  
Planning and Development Committee**

Steven J. Dembe, Acting Secretary  
Planning and Development Committee  
SJD:mjw

1985 July 10



PROPOSED

MOUNTAIN

FREEWAY

A

A

AA

D

R4

RT.  
20

AVENUE

COURT  
BARBARA

DRIVE  
REXFORD

PRINCIP C STREET

D

AA

# LEGEND

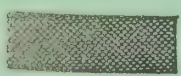
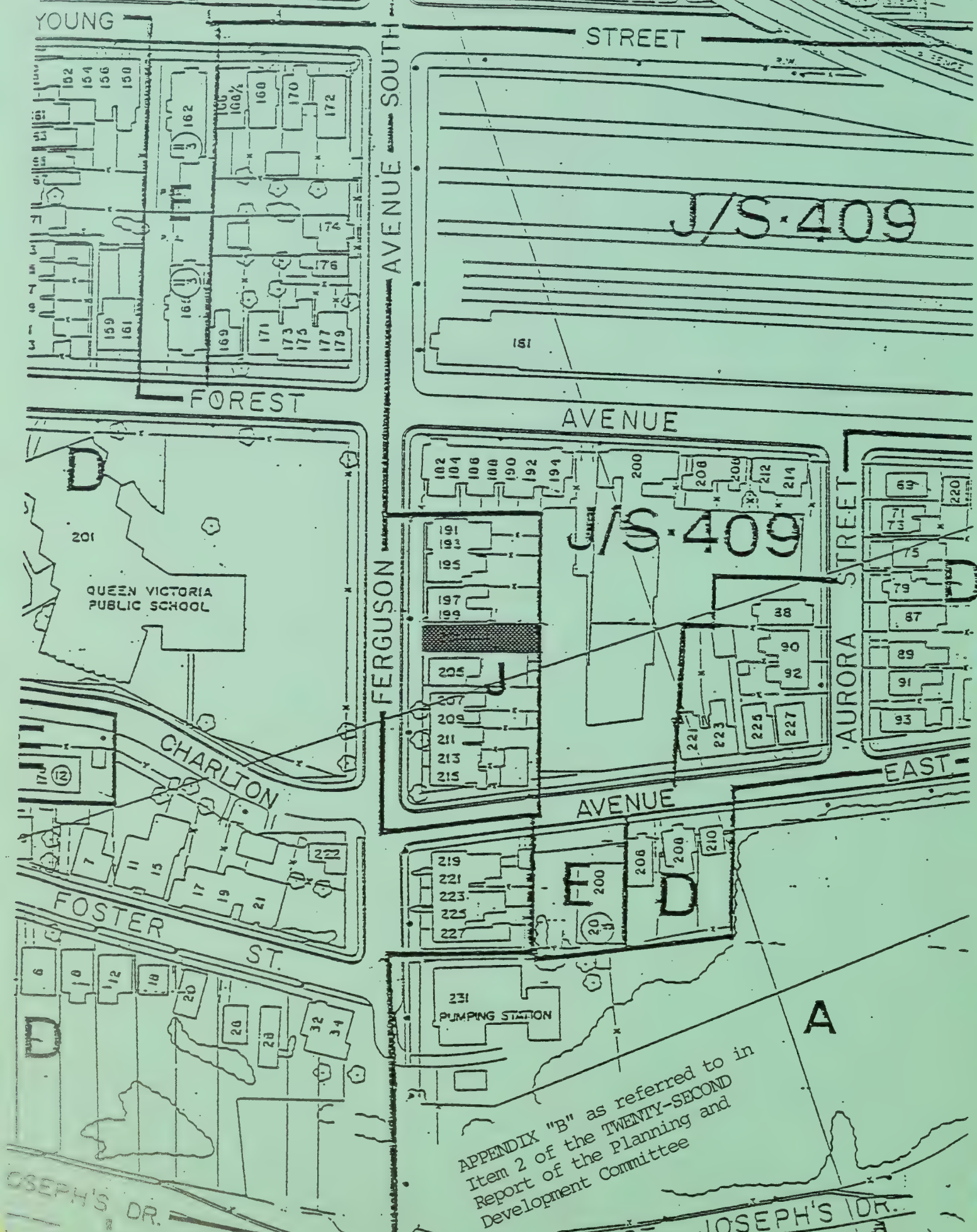


SITE OF THE APPLICATION C-17

APPENDIX "A" as referred to in  
Item 1 of the TWENTY-SECOND  
Report of the Planning and  
Development Committee

ZA-85-45





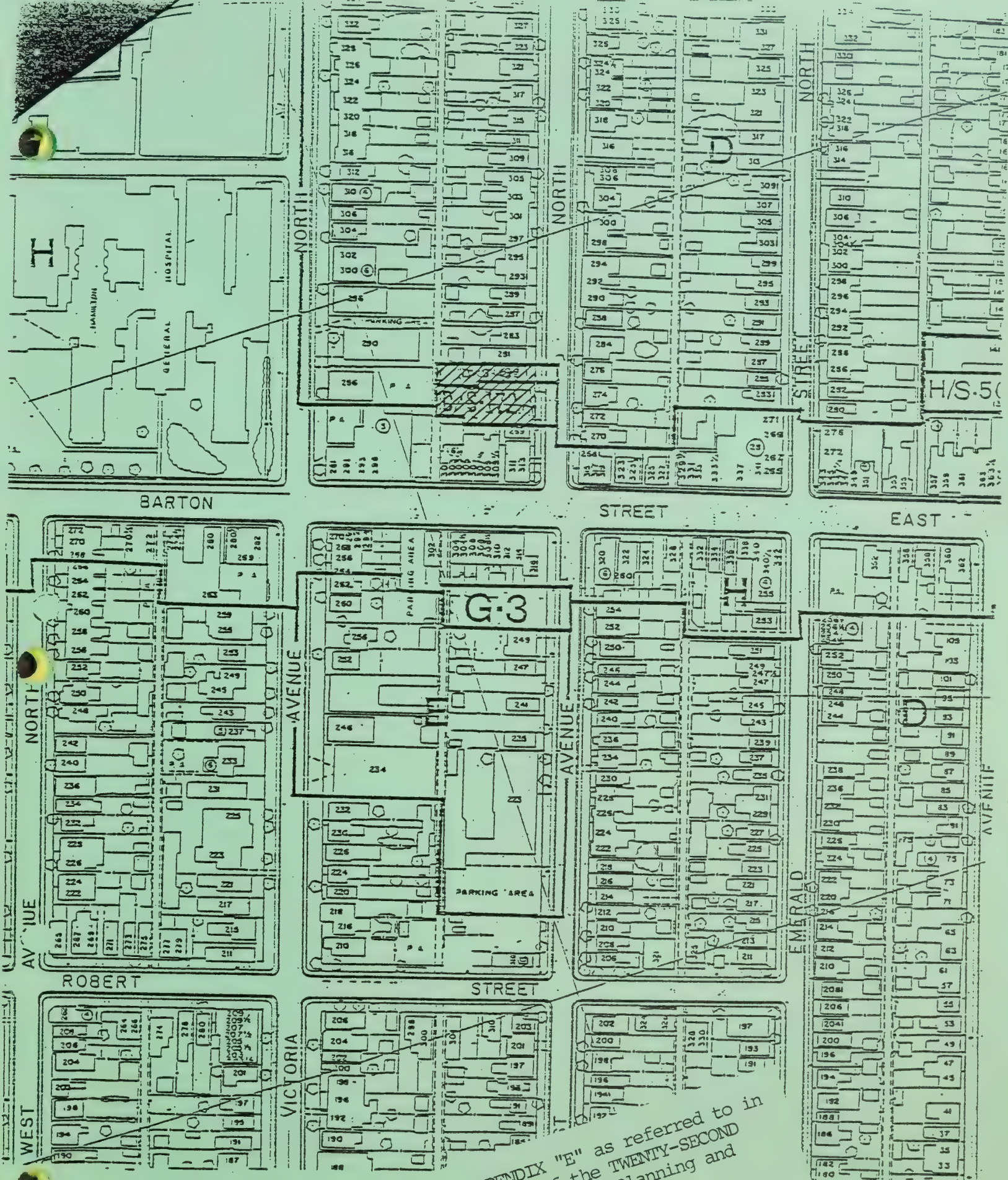
SITE OF THE APPLICATION



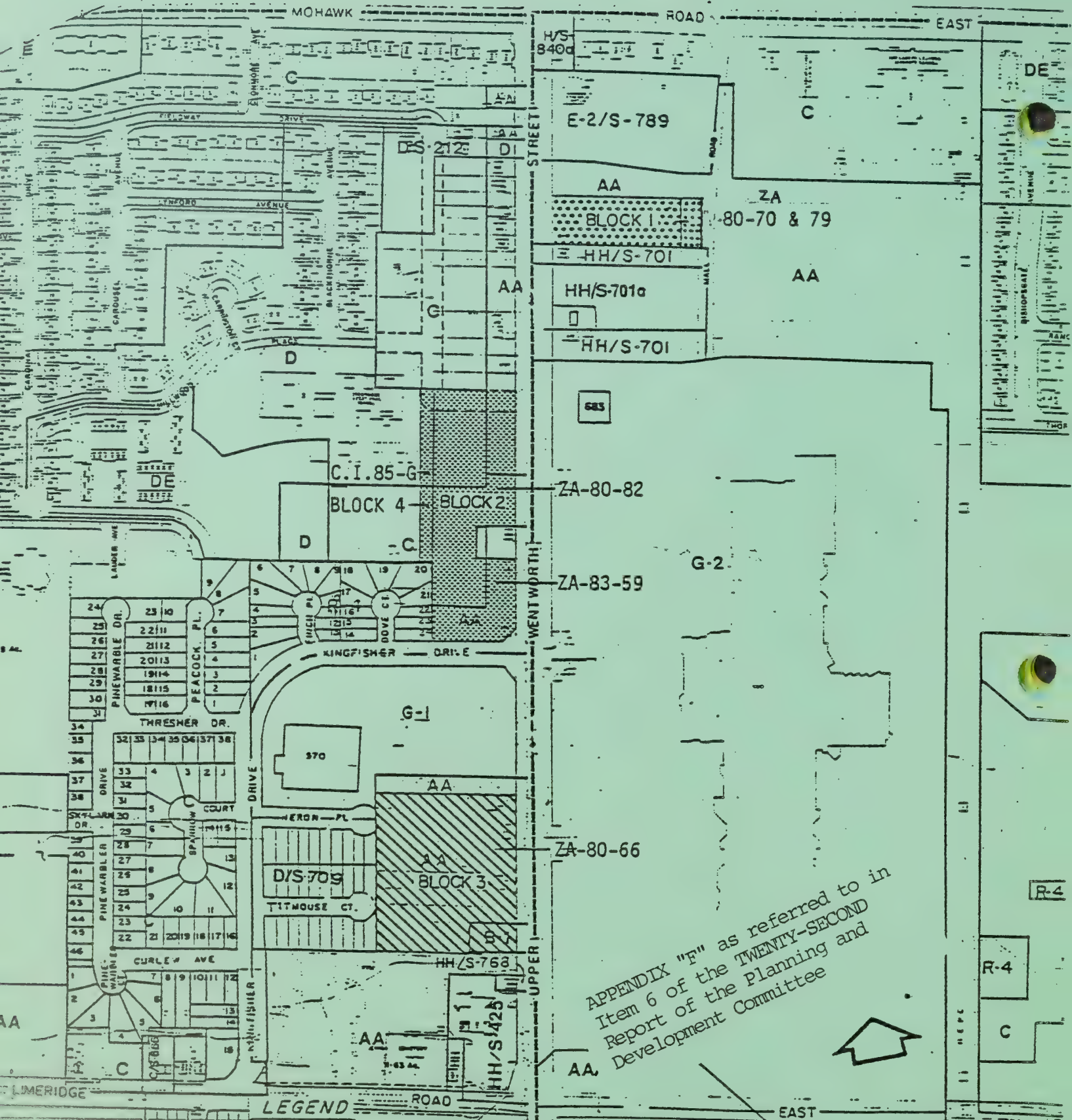












Lands for which the following zoning changes are proposed:

ZA 80-66, 80-70, 80-79,  
ZA 80-82, 83-59, C.I. 85-6

From "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District

From "AA" (Agricultural) District, "C" (Urban Protected Residential, etc.) District and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "HH" (Restricted Community Shopping and Commercial) District

From "AA" (Agricultural) District and "B-1" (Suburban Agriculture and Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District

APPENDIX A



LEGEND

— EDGE OF ROAD ALLOWANCE

||||| SUBJECT PROPERTY

— SETBACK 25 FEET (REQUIRED FOR BIZONING)

↔ FIGURES SHOW EXISTING SETBACKS

# 32-120 Pottruff Road Kentley Neighbourhood

PLAN I

APPROXIMATE CENTRE LINE OF FREEWAY

APPROXIMATE CENTRE LINE OF RAMP

POTTRUFF ROAD

EUGENE ST.

WOODMAN DRIVE

REDWOOD

DE/S-140

APPENDIX "G" as referred to in  
Item 10 of the TWENTY-SECOND  
Report of the Planning and  
Development Committee

INSTON

LEGEND

— EDGE OF ROAD ALLOWANCE

▨ SUBJECT PROPERTY

--- SETBACK 40 FEET (REQUIRED FOR B ZONING)

→ FIGURES SHOW EXISTING SETBACKS

167-265 Pottruff Road

Kentley Neighbourhood

PLAN 2



DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA

FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 1984

APPENDIX "I" as referred to in  
Item 13 of the TWENTY-SECOND  
Report of the Planning and  
Development Committee

Spicer MacGillivray  
Chartered Accountants





# Spicer MacGillivray

Chartered Accountants

M.P.O. BOX 67

4 HUGHSON STREET SOUTH

HAMILTON, ONTARIO L8N 3M5

TELEPHONE: (416) 523-7732

CABLE: ESSANO HAMILTON

## AUDITORS' REPORT

To the Board of Management  
of the Downtown Hamilton  
Business Improvement Area

We have examined the balance sheet of Downtown Hamilton Business Improvement Area as at December 31, 1984 and the statements of revenue and expenditure and members' equity for the year then ended. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as we considered necessary in the circumstances.

In our opinion, these financial statements present fairly the financial position of the organization as at December 31, 1984 and the results of its operations for the year then ended in accordance with generally accepted accounting principles described in note 1 to the financial statements.

*Spicer MacGillivray*

CHARTERED ACCOUNTANTS.

March 6, 1985.

DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA  
BALANCE SHEET  
AS AT DECEMBER 31, 1984  
(with comparative figures for 1983)

ASSETS

	<u>1984</u>	<u>1983</u> (11 mos.)
CURRENT		
Cash	\$ 13,257	\$ 14,251
Prepaid expenses	104	-
Short-term deposits	10,678	20,000
Accounts receivable	4,910	4,477
B.I.A. assessment levy receivable	6,296	1,343
	<u>\$ 35,245</u>	<u>\$ 40,071</u>

LIABILITIES AND MEMBERS' EQUITY

CURRENT		
Accounts payable and accrued liabilities	\$ 17,414	\$ 20,898
Accounts payable - City of Hamilton	5,451	8,398
Deferred grant revenue	3,085	1,124
	<u>25,950</u>	<u>30,420</u>
Members' equity	<u>9,295</u>	<u>9,651</u>
	<u>\$ 35,245</u>	<u>\$ 40,071</u>

DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED DECEMBER 31, 1984

1. SIGNIFICANT ACCOUNTING POLICIES

Financial Statement Presentation -

Revenue and expenditure are recorded on the  
accrual basis.

2. COMPARATIVE FIGURES

Certain comparative figures for 1983 have been restated to agree with  
the financial statement presentation adopted for 1984.



DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA  
 STATEMENT OF REVENUE AND EXPENDITURE AND MEMBER'S EQUITY  
 FOR THE YEAR ENDED DECEMBER 31, 1984  
 (with comparative figures for 1983)

	<u>1984</u>	<u>1983</u> (11 mos.)
REVENUE		
B.I.A. assessment levy	\$ 115,183	\$ 92,945
Government grants	9,299	9,249
Donations	-	2,000
Promenade review	762	11,091
Fashion show	1,397	-
Sidewalk sale days	-	1,260
Interest	1,063	272
Grant from City re Christmas lights	3,500	-
Other	151	-
	<u>131,355</u>	<u>116,817</u>
EXPENDITURES		
Professional fees	31,750	21,000
Employees wages	4,121	4,467
Administration	6,638	7,482
Promotion	66,520	46,359
Promenade review	-	12,082
Communication	1,438	1,182
Planning and development	4,513	3,050
Beautification	11,695	11,472
Allowance for uncollectible levies	5,000	-
Service charges	36	72
	<u>131,711</u>	<u>107,166</u>
(DEFICIT) EXCESS OF REVENUE OVER EXPENDITURE FOR THE YEAR	( 356 )	9,651
OPENING MEMBERS' EQUITY	<u>9,651</u>	<u>-</u>
ENDING MEMBERS' EQUITY	<u>\$ 9,295</u>	<u>\$ 9,651</u>

Spicer MacGillivray  
 Chartered Accountant

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
- (a) to pay municipal, realty and business taxes;
  - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
  - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
  - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
  - (e) to pay building permit application fee;
  - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
  - (g) to pay for the connection of all utilities to the premises;
  - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
  - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
  - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:
- 1. That the grantee shall commence construction of a building, having a minimum building area of 6,000 square feet, upon the hereinbefore described land by not later than June 20th, 1986
- Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2. That the grantee shall complete construction of the said building not later than June 20th, 1987
- The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

APPENDIX "J" as referred to in  
Item 22 of the TWENTY-SECOND  
Report of the Planning and      b)  
Development Committee

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.











## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **ELEVENTH** Report for 1985 and respectfully recommends:

1. (a) That permission be granted to receive The Most Reverend and Right Honourable Robert Runcie, Archbishop of Canterbury in the Council Chambers on Tuesday, 1985 September 17 at 4:30 o'clock p.m.  
(b) That permission be granted to use Room 233 of City Hall for a press conference.
2. That permission be granted to hang a banner from the balcony of City Hall welcoming the participants of the Eastern Canada Open Tennis Tournament from 1985 August 5 to August 11.
3. That sterling silver civic rings be awarded to the Hamilton Slovenias Volleyball Team who won the Eastern Canadian Midget Boy's Volleyball Championship in Fredericton on 1985, April 26.
4. That permission be granted to the Hamilton and Region Arts Council to erect a display panel on the second floor foyer of City Hall for the month of 1985 September as part of their Membership Campaign.
5. That permission be granted to display the plaque commemorating Hamilton as the "Fittest City in Canada" presented by Participation Canada in the glassed cabinet outside of the Mayor's Office.
6. That permission be granted for the use of the City Hall Council Chambers and external foyer for the Labour Day Ceremony to take place on Monday, 1985 September 2 from approximately 11:00 a.m. to 2:00 o'clock p.m.
7. That permission be granted to the Hamilton Dog Obedience Club Inc. to use the City Hall Forecourt on Sunday, 1985 October 6 from approximately 12:00 noon to 4:00 p.m., in their Walk-a-dog-a-thon for the purpose of raising funds for Canine Vision.
8. That Council endorse the resolution received from the City of Sudbury on Proposed Amendments to the Off-Road Vehicles Act as follows:

**WHEREAS** the Canada Safety Council in a recent survey of Provincial Chief Coroners for New Brunswick, Ontario, Manitoba and Alberta reported a total of 25 All-Terrain Vehicle related fatalities in 1984, of which 72% of the victims were under the age of twenty-five, and 40% of the victims were under the age of sixteen;

**AND WHEREAS** by Section 6 of The Motorized Snow Vehicles Act, Councils of local municipalities are authorized to pass by-laws regulating, governing or prohibiting the operation of motorized snow vehicles within the municipality including any highway therein or any part or parts within the municipality;

**AND WHEREAS** the definition of "Off-Road Vehicle" does not include four wheel vehicles;

**AND WHEREAS** the Council of the Corporation of the City of Sudbury deems it desirable that the Off-Road Vehicles Act be amended to authorize the Councils of local municipalities to pass by-laws regulating, governing or prohibiting the operation of Off-Road Vehicles to the same extent as is authorized in the Motorized Snow Vehicles Act and, that the definition of Off-Road Vehicle be amended to include four wheel vehicles;

**NOW THEREFORE BE IT RESOLVED THAT** the Honourable Minister of Transportation and Communications be requested to introduce amendments to the Off-Road Vehicles Act to authorize the Councils of local municipalities to pass by-laws regulating, governing or prohibiting the operation of Off-Road Vehicles within the municipality including any highway therein or any part or parts thereof;

**AND THAT** the definition of "Off-Road Vehicle" be amended to include four wheel vehicles;

**AND FURTHER THAT** this Resolution be forwarded to the Association of Municipalities of Ontario for consideration at its Annual Conference and to all municipalities in Ontario having a population in excess of 50,000.

9. That Council endorse the resolution adopted by the City of Toronto on the establishment of a Chair of Urban Entomology within the Faculty of Forestry - University of Toronto as follows:

**WHEREAS** there is a rapidly growing problem of termite infestation in towns and cities in Southern Ontario.

**AND WHEREAS** infestations are causing serious property damage and threatening the stability of many residential neighbourhoods;

**AND WHEREAS** the infestations require increasing expenditures by individuals and governments to control.

**AND WHEREAS** there has been no research undertaken on the particular type of termite infestation found in Ontario;

**AND WHEREAS** there is a growing concern that the available current chemical control methods may not be available in the future;

**AND WHEREAS** the University of Toronto has proposed the establishment of a research position and program on Urban Entomology focusing on the termite;

**THEREFORE**, be it resolved that the Council of the City of Toronto request the Province of Ontario to provide substantial financial support to the creation of this program.



**AND THEREFORE** be it resolved that the Council of the City of Toronto request the Government of Canada to provide substantial financial support to the creation of this program.

**AND FURTHER** be it resolved that this resolution be forwarded to the Members of Provincial Parliament and Members of Parliament who represent this municipality, with the request that they advise the minister responsible of their concern and of their support for the program;

**AND BE IT FURTHER RESOLVED** that copies of the resolution be forwarded to the Ontario Minister of the Environment and the Minister of Municipal Affairs and Housing and to the Federal Minister of Labour and the Minister of Environment Canada.

10. That no action be taken on the resolution received from the London Drinking and Driving Countermeasures Committee on the sale of alcoholic beverages in grocery and convenience stores as follows:

**WHEREAS** the Attorney General of the Province of Ontario has asked all communities to establish Drinking and Driving Countermeasures Committees as part of their efforts to reduce drinking-driving and the serious harm and suffering it causes;

**WHEREAS** there is a considerable amount of evidence that increased availability of alcoholic beverages leads to increases in consumption and increases in alcohol related damage;

**WHEREAS** the President of the Addiction Research Foundation of Ontario has concluded that "it would be against the best interests of the people of Ontario to permit the sale of beer and wine in grocery stores;

**WHEREAS** numerous groups such as drinking and driving countermeasures committees and PRIDE (People to Reduce Impaired Driving Everywhere) have advised against changing our system of controls to allow the sale of wine and beer in convenience and grocery stores;

**BE IT RESOLVED** that this Council advise the leaders of all three political parties as well as the Attorney General of Ontario and the Minister of Consumer and Corporate Affairs and the Minister of Health that it objects to the introduction of measures that would have as their effect the sale of any alcoholic beverages in grocery or convenience stores.

11. That an additional sum of \$2,750.00 be approved for the Aldermen's Postage - Account No. 0321-0316 and that the Finance Committee be requested to recommend the method of financing.
12. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the Greek Panagian Church for their community festival to fund raise for the Church building fund on 1985 August 15-18 to be held at 233 East 15th Street.
13. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to The Mozart Chamber Orchestra of Burlington for their annual fund raising event to be held at the Royal Hamilton Yacht Club on 1985 August 24.



14. (a) (i) That one Micro-Computer (Word Processing Equipment) and one printer be leased from I.T.M. Systems Inc. for use by the Aldermen's Support at an estimated cost of ..... \$2,351.96 (cost estimate for 1985 September 1 to December 31, which includes a one time installation charge of approximately \$250.00).
- (ii) That an acousti-cover be purchased for the printer at a cost of ..... 490.00
- (iii) That a table and chair be purchased to accomodate the micro-computer (word processor) and printer at a cost of ..... 300.00
- TOTAL** ..... \$3,141.96
- (b) That the Finance Committee be requested to recommend the method of financing.
15. (a) That the Economic Development Department - Visitors and Convention Services be requested to continue administering and providing guides for City Hall group tours at no cost.
- (b) That there be no charge to any group for a tour of City Hall.
- (c) That the City reimburse the Economic Development Department - Visitors and Convention Services for this service at the rate of \$10.00 per tour.
- (d) That the Finance Committee be requested to recommend the method of financing the City's share of such tours in the amount of approximately \$100.00 for the remainder of the year 1985.
16. (a) That approval be given to members of Council (up to a maximum of seven) who wish to attend the A.M.O. Conference to be held in Ottawa, 1985 August 24-28.
- (b) That the Finance Committee recommend the method of financing.
17. That the Mayor be authorized to proclaim Monday, 1985 August 5 as a Civic Holiday in the City of Hamilton.
18. That the following tax adjustments as recommended by the Tax Appeal Subcommittee at its meeting held 1985 July 3 be approved:

APPEAL	AMOUNT			
	(1)	(2)	(3)	(4)
Schedule "A"				
Compassionate	Prior Year 1984	Year-to-date 1985	Tax Review Committee July 3, 1985	Total Year-to-date 1985
	<u>\$ 25,659.46</u>	<u>\$ 9,765.00</u>	<u>\$ 3,100.00</u>	<u>\$ 12,865.00</u>

<b>Schedule "B"</b>	(1)	(2)	(3)	(4)
<b>Business</b>	Prior Year 1984	Year-to-date 1985	Tax Review Committee July 3, 1985	Total Year-to-date 1985
	<u>\$1,356,461.68</u>	<u>\$1,234,373.96</u>	<u>\$ 242,939.78</u>	<u>\$1,477,313.74</u>
<b>Schedule "C"</b>	(1)	(2)	(3)	(4)
<b>Realty</b>	Prior Year 1984	Year-to-date 1985	Tax Review Committee July 3, 1985	Total Year-to-date 1985
	<u>\$ 304,045.91</u>	<u>\$ 191,262.16</u>	<u>\$ 1,757.87</u>	<u>\$ 193,020.03</u>

19. That the City Solicitor be authorized and directed to prepare a By-law to amend By-law No. 79-144 to limit the total number of Class "H" Adult Entertainment Parlour licences in the City to 9 licences and to limit the operation of Adult Entertainment Parlours to defined areas.

20. That leave be granted to introduce the following bill:

(a) Bill D-9 By-law respecting the control and licencing of dogs.

**Respectfully submitted,**

**Alderman V. J. Agro, Chairman  
Legislation**

S. K. Reeder  
Secretary

1985 July 23









## REPORT OF THE PERSONNEL COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **SEVENTH** Report for 1985 and respectfully recommends:

1. That a committee comprised of Aldermen P. Cowell, B. Hinkley, D. Gray, Chief Administrative Officer, Director of Personnel and City Clerk be struck to interview and select candidates for the positions of Secretary "A" and Receptionist - Aldermen's Support Staff, for recommendation to the Personnel Committee and City Council.

**NOTE:** All Members of City Council will be invited to attend meetings of this Selection Committee.

2. That the firm of Currie, Coopers and Lybrand be retained by the City and the Region to conduct a salary survey and make pay recommendations for members of City Council which reflects both their City and Region functions at a total cost of \$12,200. including expenses. The City's share not to exceed \$6,100.
3. That the position of Occupational Nurse, approved by City Council at its meeting held April 30, 1985, be classified in salary schedule 115, \$29,168.88, \$30,483.96, \$31,855.20, \$34,786.96 per annum, and that the position be posted and filled.
4. That a 4.25% increase be given to all non-union staff of Hamilton Place commencing January 1, 1985 with the exception of the position of Comptroller Hamilton Entertainment and Convention Facilities Inc.
5. That the position of Facilities Maintenance Technician Hamilton Airport be classified in salary schedule 113, \$25,591.80, \$26,526.24, \$27,622.40, \$28,919.80, \$30,399.72 per annum, and that this position be posted and filled.

**NOTE:** This position has been requested by Transport Canada and will be paid for fully by that Department.

6. Approval of the rates between the Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America, Local 18, Hamilton, as set out in the "Schedule of Rates", attached hereto as Exhibit "A".
7. Approval of the Appointments and Terminations in Permanent and Temporary Service with the Corporation of the City of Hamilton to 1985 July 24, as set out in the list appended hereto as Exhibit "B".



8. That the following positions for the Victor K. Copps Trade Centre/Arena be classified, posted and filled:

(a) Marketing Representative (35 hours per week)

Salary Schedule 112

\$22,800.44, \$23,616.32, \$24,548.68, \$25,679.16, \$27,001.52 per annum.

(b) Chief Electrician (40 hours per week)

Salary Schedule 117A

\$32,944.08 \$34,430.24, \$35,977.76, \$37, 597.04, \$39,287.04 per annum.

(c) Maintenance Repairman (40 hours per week)

Salary Schedule M-14

\$12.35 per hour

(d) Refrigeration/AC Technician (40 hours per week)

Salary Schedule M-17

\$13.42 per hour

(e) Receptionist/Typist (35 hours per week)

Salary Schedule 107

\$15,711.80, \$16,371.16, \$17,060.16, \$17,779.84, \$18,537.40 per annum

(f) Stenograhper B (35 hours per week)

Salary Schedule 108N

\$17,105.40, \$17,960.80, \$18,656.04, \$19,491.16, \$20,194.20 per annum

(g) Plant Maintenance Supervisor (40 hours per week)

Salary Schedule 117A

\$32,944.08, \$34,430.24, \$35,977.76, \$37,597.04, \$39,287.04 per annum

(h) Preventative Maintenance Supervisor (40 hours per week)

Salary Schedule 115A

\$27,979.64, \$29,241.16, \$30,556.75, \$31,931.64, \$33,368.92 per annum

(i) Assistant Director - Event Planning (40 hours per week)

Salary Schedule 115A

\$27,979.64, \$29,241.16, \$30,556.76, \$31,931.64, \$33,368.92 per annum

(j) Arena Maintenance Man I - Ice Maker (40 hours per week)

Salary Schedule M-10

\$11.632 per hour

- (k) Arena Maintenance Man II (40 hours per week)

Salary Schedule M-7  
\$10.639 per hour

- (l) Electrical/Electronic Technician (40 hours per week)

Salary Schedule M-17  
\$13.420 per hour

- (m) Shipper/Receiver Mail Room (40 hours per week)

Salary Schedule G-4  
\$391.56, \$403.08, \$414.60, \$434.80 per week

- (n) Cleaning Facility Supervisor (40 hours per week)

Salary Schedule 114  
\$26,024.96, \$27,198.08, \$28,421.64, \$29,700.84, \$31,036.20 per annum

**NOTE:** All rates in terms of 1984 salary schedules. The sole exception is Shipper/Receiver Mail Room (m), which is a valid 1985 rate. Non-union rates are pending results of Salary Survey. "M" salary schedules as yet have not settled by negotiations.

9. That the rate of pay to City Ply Woods (Hamilton) Limited for the security of buildings acquired by the City be changed to the following effective September 1, 1985.

\$26.00 per hour for carpenter/handyperson, including truck  
\$ 5.00 per hour per helper - if required

10. That the following Change Orders to the contract with Demik Construction Limited for the construction of Fire Station #7, Quigley Road, be approved.

- (a) Change Order No. 2 ..... \$5,680.00

"In addition to a considerable area of unsuitable soil conditions, a previous basement excavation filled in with rubbish and building debris was encountered in the north driveway area."

- (b) Change Order No. 4 ..... \$5,889.40

"The anticipated ductile water main on Quigley Road turned out to be concrete, requiring a special installation in form of a six foot diameter precast concrete valve chamber as per instructions by the Regional Engineering Department."

**NOTE:** Funds are available in Appropriation Account 0408-H4254 to cover this additional expenditure.

11. That notice be sent to all Civic Department Heads, and Civic Union Presidents advising that City Council is extremely concerned with the amount of absenteeism within the civic service and the resultant cost to the Corporation of the City of Hamilton. This notice will also request the cooperation of all Civic Departments and Unions in curbing this costly practice.

Respectfully submitted,

ALDERMAN P. COWELL, CHAIRMAN  
PERSONNEL COMMITTEE

K. E. Avery, Secretary  
1985 July 25



SCHEDULE OF RATES

Personnel Committee Agenda  
Wednesday July 24, 1985

Contract Settlement between The Carpenters Employer Bargaining Agency and The  
Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America  
(Local 18, Hamilton)

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Duration of Agreement - May 1, 1984 to April 30, 1986

The wages and related payments for regularly scheduled daytime hours for  
Journeyman Carpenters are as follows:

Effective Date	Hourly Rate	Vacation 4%	Holiday Pay 6%	Health and Welfare	Pension	S.U.B.	Total
May 1/ 84	\$17.90	\$1.79		\$2.10			\$21.79
May 1/85	\$18.81	\$1.88		\$2.10			\$22.79

Foreman Differential: \$1.00

Apprentices:

	May 1/84	May 1/85
1st six months 40% of journeyman rate	\$ 7.16	\$ 7.52
2nd six months 50% of journeyman rate	8.95	9.41
2nd year 65% of journeyman rate	11.64	12.23
3rd year 75% of journeyman rate	13.43	14.11
4th year 85% of journeyman rate	15.22	15.99

The wages and related payments for regularly scheduled daytime hours for Acoustical & Drywall Workers is as follows:

Effective Date	Hourly Rate	Vacation 4%	Holiday Pay 6%	Health and Welfare	Pension	S.U.B.	Total
May 1/ 84	\$17.90	\$1.79		\$2.10			\$21.79
May 1/85	\$18.81	\$1.88		\$2.10			\$22.79

Foreman Differential: \$1.00

Apprentices:

	May 1/84	May 1/85
1st 750 hour work period - 40%	\$ 7.16	\$ 7.52
2nd 750 hour work period - 50%	8.95	9.41
3rd 750 hour work period - 60%	10.74	11.29
4th 750 hour work period - 70%	12.53	13.17
5th 750 hour work period - 80%	14.32	15.05
6th 750 hour work period - 90%	16.11	16.93

The wages and related payments for regularly scheduled daytime hours for Resilient Floor Workers are as follows:

Hardwood Floor Layers:

Effective Date	Hourly Rate	Vacation 4%	Holiday Pay 6%	Health and Welfare	Pension	S.U.B.	Total
May 1/84	\$17.90	\$1.79		\$2.10			\$21.79
May 1/85	\$18.81	\$1.88		\$2.10			\$22.79

Foreman Differential: \$1.00

Apprentices:

	Nov. 1/84	May 1/84
1st six months 40% of journeyman rate	\$ 7.16	\$ 7.52
2nd six months 50% of journeyman rate	8.95	9.41
2nd year 65% of journeyman rate	11.64	12.23
3rd year 75% of journeyman rate	13.43	14.11
4th year 85% of journeyman rate	15.22	15.99

# Resilient Floor and Carpet Layers:

Effective Date	Hourly Rate	Vacation 4 %	Holiday Pay 6 %	Health and Welfare	Pension	S.U.B.	Total
May 1/84	\$15.93	\$1.59		\$2.10			\$19.62
May 1/85	\$16.84	\$1.68		\$2.10			\$20.62

Foreman Differential: \$1.00

## Apprentices:

	May 1/84	May 1/85
1st six months 40 % of journeyman rate	\$ 6.37	\$ 6.74
2nd six months 50 % of journeyman rate	7.97	8.42
2nd year 65 % of journeyman rate	10.35	10.95
3rd year 75 % of journeyman rate	11.95	12.63
4th year 85 % of journeyman rate	13.54	14.31



## EXHIBIT "B"

Referred to in section 7 of the Seventh  
Report of the Personnel Committee

## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Michael Atkinson	District Chief	Fire	replacing Neil McFadyne - promoted	C-11	\$41,766.76 per annum	June 9/85
Ms. Susan Blasutti	Stenographer IV	Public Works	additional staff approved by C.A.O. 85 May 24	E-2	\$299.65 per week	July 2/85
Miss Darlene Chaisson	Stenographer I	City Solicitor's	additional staff as approved by C.A.O. 85 May 15	E-5	\$359.11 per week	June 17/85
Ms. Sandra Davidson	Lifeguard I	Culture and Recreation	replacing Marilyn Madden - promoted	CH-5	\$328.36 per week	June 24/85
Mr. Dennis Embleton	Yard Attendant	Public Works	replacing Frank Goodwin - transferred	D-11	\$11.114 per hour	June 17/85
Mrs. Jennifer Falla	Stenographer I	City Clerk's	replacing Sylvana Albano - promoted	E-5	\$359.11 per week	June 3/85
Mr. Peter Hickey	Stores Attendant	Purchasing Division of Treasury	replacing Joseph Gaudet - retired	D-7	\$10.827 per hour	June 17/85

Prepared June 10, 1985

**THE CORPORATION OF THE CITY OF HAMILTON**

**APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. John Ivezic	Building Inspector	Building	replacing Larry Harvey - promoted	A-12	\$542.66 per week	June 17/85
Mrs. Katherine Killins	Head Historical Interpreter	Dundurn Castle Division of Culture and Recreation	replacing Ania Latoszek - promoted	109	\$18,921.76 per annum	July 1/85
Mrs. Paula Kita	Stenographer III	Treasury	replacing Jennifer Falla - promoted	E-3	\$345.14 per week	July 8/85
Mrs. Marilyn Madden	Pool Supervisor	Culture and Recreation	replacing Kathryne Wilson - resigned	110B	\$20,346.56 per annum	June 3/85
Ms. Deborah Marsh	Typist Clerk II	Treasury	replacing Leigh Goldsmith - promoted	E-2	\$299.65 per week	June 24/85
Mrs. Michelle Oprolu	Building Inspector	Building	additional staff approved by C.A.O. 85 June 25	A-12	\$519.09 per week	July 1/85
Mrs. Susan Riley	Stenographer IV	City Solicitor's	replacing Darlene Chaisson - promoted	E-2	\$299.65 per week	July 2/85

Prepared June 10, 1985

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Peter Shen	Solicitor III	City Solicitor's	additional staff approved by C.A.O. 85 May 15	115	\$29168.88 per annum	June 3/85
Mr. Marlo Torres	Maintenance Worker	Parking Authority	approved at Parking Authority meeting 85 June 20	B-4	\$367.59 per week	June 24/85
Mr. Albert Vandenaeker	Captain	Fire	replacing John Redding - promoted	C-8	\$38,498.61 per annum	June 16/85
Mr. Steven Fedorka	Probationary Firefighter	Fire	replacing John McGee - deceased	N-1	\$22,984.88 per annum	July 8/85
Mr. Charlie Gandt	Probationary Firefighter	Fire	replacing Robert Gardiner - retired	N-1	\$22,984.88 per annum	July 2/85
Mr. Leonard Hardwick	Probationary Firefighter	Fire	replacing Paul Haylock - retired	N-1	\$22,984.88 per annum	July 2/85
Mr. Derek Hudson	Probationary Firefighter	Fire	additional staff as approved by budget	N-1	\$22,984.88 per annum	July 2/85

Prepared June 10, 1985



**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Bruce Kinsman	Probationary Firefighter	Fire	additional staff as approved by budget	N-1	\$22,984.88 per annum	July 2/85
Mr. Frederick Krestynski	Probationary Firefighter	Fire	additional staff as approved by budget	N-1	\$22,984.88 per annum	July 2/85
Mr. Frederick Kuzyk	Probationary Firefighter	Fire	additional staff as approved by budget	N-1	\$22,984.88 per annum	July 2/85
Mr. Randall Moss	Probationary Firefighter	Fire	additional staff as approved by budget	N-1	\$22,984.88 per annum	July 2/85
Mr. Gregory Phillips	Probationary Firefighter	Fire	additional staff as approved by budget	N-1	\$22,984.88 per annum	July 2/85
Mr. Richard Poziomka	Probationary Firefighter	Fire	additional staff as approved by budget	N-1	\$22,984.88 per annum	July 2/85
Mr. Kenneth Prime	Probationary Firefighter	Fire	additional staff as approved by budget	N-1	\$22,984.88 per annum	July 2/85
Mr. Martyn Wingfield	Probationary Firefighter	Fire	additional staff as approved by budget	N-1	\$22,984.88 per annum	July 2/85

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Robert Culley	Firefighter I	Fire	retired	35 years & 1 month	July 27/85
Mrs. Joan Douglas	Clerk-Title Searcher	City Solicitor's	retired	14 years & 11 months	June 28/85
Mr. Paul Haylock	Firefighter I	Fire	retired	30 years & 9 months	July 31/85
Mr. John McGee	Lieutenant	Fire	deceased	17 years & 10 months	July 1/85
Mr. Russell Mountain	Sports Groundsman/ Labourer	Parks Division of Public Works	deceased	24 years & 1 months	June 28/85
Miss Bente Nielsen	Keypunch Operator I	Treasury	resigned	7 years & 7 months	July 12/85
Mr. Arthur Pollington	Street Sweeper Operator, Flusher Driver, Truck Driver and Labourer	Public Works	retired	19 years & 5 months	June 28/85
Miss Elissa Siroonian	Historical Interpreter	Dundurn Castle Division of Culture & Recreation	resigned	2 years & 1 month	June 16/85

Prepared June 10, 1985

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Silvana Albano	Secretary A (temporary)	City Clerk's	replacing Ms. Sandy Newton - off sick	111	\$22,089.60 per annum	May 17/85
Miss Carmela Alletto	Typist Clerk II (temporary)	Treasury	replacing May Sevcik - on L.T.D.	E-2	\$299.65 per week	June 10/85
Mr. Everett Brown	Garbage Truck Driver (temporary)	Public Works	replacing Mr. Allan Rothead - transferred	D-9	\$10.937 per hour	May 17/85
Mrs. Diane Burns	Acting Pool Supervisor (temporary)	Culture and Recreation	replacing Mrs. Pat Butler - off sick	110B	\$20,346.56 per annum	June 3/85
Mr. George Carson	Journeyman Painter (temporary)	Property Maintenance Division	temporary additional staff as approved	PA	\$18.390 per hour	June 10/85
Mr. Michael Castiglione	Unit Supervisor (temporary)	Culture & Recreation	replacing Mr. Burton Lea on L.T.D.	12C	\$26543.92 per annum	June 17/85
Ms. Lois Coomber	Draftsman II (temporary)	Traffic	replacing Mr. Jeffery Danby - transferred	A-6	\$401.06 per week	July 8/85

Prepared June 10, 1985



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Margaret D'Addario	Cleaner (temp. part-time)	Property Maintenance Division	replacing Mr. Richard Oshanek - transferred	C-1	\$7.531 per hour	June 24/85
Mr. Lawrence Dunn	Maintenance Foreman (Parks)(temporary)	Public Works	temp. additional staff approved by C.A.O. 85 May 2	13C	\$22725.56 per annum	July 1/85
Mrs. Carolyn Edwards	Key Punch Operator I (temporary)	Treasury	vacation relief	E-3	\$9.861 per hour	July 2/85
Ms. Julie Flaczynski	Museum Intern (temporary)	Culture & Recreation	temporary additional staff as approved	AS	\$270.00 per week	May 20/85
Mr. Albert Fletcher	Equipment Mechanic I (temporary)	Central Garage Division	replacing Mr. Joseph Gattozzi - promoted	D-11	\$10.914 per hour	June 24/85
Mr. Larry Friday	Accountant III (Treasury) (temporary)	Treasury	replacing Mr. M.B. Chandra Shekar - promoted	A-12	\$519.09 per week	June 24/85
Ms. Nancy Harrington	Museum Intern (temporary)	Culture & Recreation	temporary additional staff as approved	AS	\$270.00 per week	May 27/85
Mr. James Mackey	Maintenance Foreman (Parks)(temporary)	Public Works	temp. additional staff approved by C.A.O. 85 May 2	13C	\$22725.56 per annum	July 1/85

Prepared June 10, 1985

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mrs. Eleanor Mason	Deputy Divisional Registrar (temporary)	City Clerk's	replacing Mrs. E. Hulyina - off sick	A-5	\$387.07 per week	April 23/85
Ms. Debbie Myers	Clerk Typist III (temporary)	Property Maintenance Division	replacing Mrs. Joan Orford - promoted	E-1	\$284.76 per week	June 10/85
Mrs. A. Novakovic	Secretary B (temporary)	Treasury	replacing Mrs. Karol Coulson - off sick	110	\$2219.76 per annum	June 24/85
Mr. Stanley Obrenski	Draftsman I (Architectural) (temporary)	City Architect's	temp. additional staff approved by C.A.O. 85 April 16	A-9	\$460.49 per week	July 2/85
Mr. Vincent Ormond	Lifeguard I (temporary)	Culture & Recreation	replacing Mrs. Diane Burns - promoted	CH-5	\$328.36 per week	June 24/85
Mr. Ray Watt	Maintenance Foreman (Parks)(temporary)	Public Works	temp. additional staff approved by C.A.O. 85 May 2	13C	\$22725.56 per annum	July 1/85

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. John Blachini	Draftsman III (temporary)	Building	terminated	2 months	June 21/85
Miss Lorraine Dornbusch	Inventory Assistant (Ontario Youth Corps) (temporary)	Purchasing Division of Treasury	terminated	7 months	May 17/85
Ms. Charlene Rizzi	Clerk Typist (Ontario Youth Corps) (temporary)	Treasury	lay off	6 months	June 14/85







## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its THIRTEENTH Report and respectfully recommends:

1. Approval of the awarding of the following contract:

PETRO-CANADA, Burlington, Ontario

Supply and delivery of #2 Furnace Oil and Stove Oil as required for 1985/1986 Season, for Various Civic Buildings, in accordance with specifications issued by the Board of Education and Vendor's Tender as follows:

Light Industrial #2 Fuel Oil - \$ 0.2895 Per Litre  
Domestic Fuel Oil #1 (Stove Oil) - \$0.3230 Per Litre

Price subject to increase in tank wagon price in effect at time of delivery. Approximate total contract \$28,000.00. Funds have been provided in various accounts.

NOTE: Lowest of 5 tenders.

2. That the account of Weir & Foulds dated June 20, 1985, in the amount of \$1,603.30 for fees and disbursements regarding the telephone system be paid. The City's share of this account will be one-half or \$801.65 with the balance to be paid to the Region.
3. That the additional amount of \$7,750 required over the budgeted amount of \$20,000 for repairs to the Emerald Street Pedestrian Bridge be financed by setting aside that amount within the allocated portion of the Contingency Account 0378-11XX.

NOTE: Section 60 of the 13th Report of the Transport and Environment Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

4. That the estimated cost of \$25,000 required for the conversion of the steel quonset structure at the Upper Ottawa Street Yard into a salt/sand storage facility be financed from the "Reserve for Major Repaires and Improvements to City-Owned Properties", Account 0280-24.

NOTE: Section 10 of the 13th Report of the Transport and Environment Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.



5. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct a concrete curb on Forest Avenue, north side only, from Ferguson Avenue to Wellington Street, at an estimated cost of owner's share \$9,022, as well as City's share of \$978, by the issuance of debentures totalling \$10,000 for a period not to exceed 15 years, and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$10,000 for a term not to exceed 15 years for the above project.

NOTE: Section 48 of the 13th Report of the Transport and Environment Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

6. That the micro-computer equipment requested for use by the Aldermen's support staff in the total amount of \$3,150 be financed as follows:
- (a) \$1,040 by means of an overdraft within the appropriate accounts of the Legislative budget and the setting aside of that amount within the allocated portion of the Contingency Account 0378-11XX;
  - (b) \$2,110 transferred from the Contingency Account 0378-11XX to the appropriate accounts of the Legislative budget.

NOTE: Section 14 of the 11th Report of the Legislation Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

7. That the additional amount of \$2,750 required to fund postage costs for the Aldermen for the balance of 1985 be financed by a transfer from the Contingency Account 0378-11XX to the Legislative Budget Account 0321-0316.

NOTE: Section 11 of the 11th Report of the Legislation Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

8. That the City Treasurer be authorized to accept a cheque from the law firm of Evans, Husband, Barristers and Solicitors, in the amount of \$2,669.30 (in addition to payments already received in the amount of \$17,000.00 for a total of \$19,669.30) as full and final settlement against 1975, 1976, 1977, and 1978 realty taxes in the amount of \$22,338.59 incurred by the Burlington Naval Association at 476 Beach Blvd. and further that the balance of \$2,669.29 be charged to account 0378-0688 tax write offs.
9. a) That the Reserve for Property Purchases, Account 0280-02, be maintained at, or around, the net recommended level of \$2,500,000 as was approved last year and the excess fund balance of the Reserve for Property Purchases in the

amount of \$2,509,000 be transferred to the:

- (i) Reserve for Uninsured Losses - Fire and Public Liability, Account No. 0280-36, in the amount of \$1,000,000;
  - (ii) Reserve for Emergency Snow Removal, Account No. 0280-29, in the amount of \$1,000,000;
  - (iii) Reserve for Replacement of Mobile Equipment, Account No. 0280-01, in the amount of \$300,000;
  - (iv) Reserve for Working Funds - Inventories, Prepaid Expenses and Reduction of Tax Arrears, Account No. 0282, in the amount of \$196,000;
  - (v) Reserve for Realty Taxes - Beach Strip Properties, Account No. 0280-38, in the amount of \$13,000.
- b) That the Treasurer be authorized to transfer any necessary deficit (City portion) in the Reserve for American Exchange, Account No. 0836, to an estimated amount of \$25,000, from the Reserve for Contingency, Account No. 0280-32, at maturity on December 31, 1985 of U.S. Debentures.
- c) That the Treasurer be authorized to provide interest to the following reserve accounts as of August 1, 1985:
- (i) Emergency Snow Removal, Account No. 0280-29;
  - (ii) Major Repairs and Improvements to City-Owned Properties, Account No. 0280-24;
  - (iii) Services for Unsubdivided Lands Development, Account No. 0280-12;
  - (iv) Uninsured Losses - Fire and Public Liability, Account No. 0280-36.
10. That the cost of \$29,916.70 for disposing of contaminated material from the area of Quigley Road and Red Hill creek, referred to in Section 16 of the 13th Report of the Parks and Recreation Committee be financed by means of an overdraft within the accounts of the Public Works Department and the setting aside of this amount within the allocated portion of the Contingency Account 0378-11XX.
11. (a) That a donation of \$10,000.00 be made to the Central Ontario Disaster Relief Committee for victims of the tornado that hit South Central Ontario on May 31, 1985;
- (b) That this donation be financed by an overdraft in Account No. 0378-4598 and by setting aside this amount within the allocated portion of the Contingency Account No. 0378-11XX.

12. Approval of the following increase in parking fees for the municipal underground parking garage effective September 1, 1985:

		<u>Present</u>	<u>Proposed</u>
(i)	For each 1/2 hour or part thereof....	.50	.60
(ii)	For each entry not more than.....	3.50	4.00
(iii)	From 6:00 p.m. to 6:00 a.m. or part..	1.50	1.75
(iv)	Per Month .....	45.00	50.00

13. Approval of a transfer of \$10,000 from Account No. 9324 3733 to Account No. 9321 0175, Parking Authority, to permit the acquisition of micro-computing equipment previously deleted from the estimates of the Authority.

NOTE: This transfer is possible as a result of a much lower tender than originally anticipated for inspecting and flushing the underground garage sprinkler systems.

14. Approval of the following policy with respect to the operation of the Victor K. Copps Trade Centre/Arena Parking Lot located in the area bounded by Queen, Hess, Napier and Peter Streets.
- (a) Bus parking to be physically separated from automobile parking.
  - (b) Bus traffic to be confined to the existing truck route system.
  - (c) Cashiers to be assigned only when events are scheduled in the Arena.
  - (d) Transient parking to be controlled by the use of pre-paid ticket machines.
  - (e) The maximum number of exits consistent with good design principles to be provided in order to clear the lot as quickly as possible after events.
  - (f) Monthly parking permits to be made available to residents of the area up to ten per cent of the total spaces.
15. That a day-long workshop be arranged for all Members of City Council on the topic of being a hospitable host for the 1986 Federation of Canadian Municipalities Conference.
16. (a) Approval of the sale of the former King Edward School Site at the south-east corner of Wilson and Mary Streets to the Wilson Medical Centre for the sum of \$226,500.00 from which a Brokerage cost of 5% (namely \$11,325.00) is payable to Walton Realty Limited. Option to be accepted on or before August 9, 1985 with closing of the transaction on or before September 12, 1985.
- (b) That the proceeds from this sale be credited to Account No. 0280-02 - Reserve for Property Purchases.

NOTE: This property comprises of an area of 20,587 sq.ft. more or less of undeveloped land having a frontage on southerly limits of Wilson Street of 150 ft. more or less by a depth along the easterly limits of Mary Street of 137 ft. more or less.



17. (a) That a grant of \$350.00 be made to the Hamilton Fire Department Band to cover the cost of the entry fee in the 1985 Grey Cup Parade;
- (b) That a traditional general grant (Grant Category No. 1) be approved for the Care Centre in the amount of \$150 to defray the costs of transportation to the Annual Picnic, August 25, 1985, sponsored by Jimmy Lomax.
- (c) That these amounts be financed by an appropriate transfer from the Unallocated Grant Funds, Account No. 0374-0601.
18. That the amount of approximately \$100 required for the cost of providing tours of City Hall for various groups for the remainder of 1985 be charged to the Unclassified Expenditure Account 0378-2798.
19. That the estimated cost of \$125 to close the public access at the end of Peacock Place with a chain link fencing be financed from within the existing budget of the Public Works Department.

NOTE: Section 11 of the 22nd Report of the Planning and Development Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

20. That all departments be notified that the balance of \$65,000. in Contingency Funds for 1985 will be restricted to emergency items only and that they be prepared to rearrange their priorities by deleting or delaying other projects which are of lower priority, within departmental budgets if an additional item is to be accommodated.
21. (a) That the amount of \$5,190. plus tax, required for replacement of the air conditioning compressor at the Central Fire Hall, be financed from within the existing budget of the Property Maintenance Department.
- (b) That, if necessary in order to accommodate this item, the Property Maintenance Superintendent be authorized to delete or delay another project from within his budget of a similar or larger amount which has a lower priority than the replacement of the air conditioning compressor at the Central Fire Hall.
22. That the City's share of retaining the firm of Currie, Coopers & Lybrand to conduct a salary survey for members of City Council in the amount of \$6,100, referred to in item 2 of the Seventh Report of the Personnel Committee, be financed by means of an overdraft in Account No. 0378-4498 "Salary Study - Councillors" and the setting aside of the required amount within the allocated portion of the Contingency Account 0378-11XX.
23. (a) That the City Treasurer be authorized to terminate the present Group Life Insurance Agreement with Canada Life and to negotiate a new five year Agreement with Canada Life effective August 1, 1985 to include the following:
  - (i) The City will provide Canada Life with a hold-harmless agreement to cover claims up to 115% of the total premium. In this calculation only

claims up to \$100,000 maximum will be included. The maximum liability of the City will therefore be 115% of the total premium using a 38 cent rate plus stop-loss charges, pooling charges, retention, premium tax, and commissions paid, if any.

(ii) Although this is a five year agreement, financial calculations will be made annually and any surplus will be refunded to the City each year. The stop-loss feature will also operate on an annual basis.

(b) That the surplus held by Canada Life relating to the present agreement, expected to be approximately \$500,000, be credited when received to interest bearing reserves - \$200,000, to a newly created Reserve for Possible Group Life Insurance Claims 0280-XX, with the balance, approximately \$300,000, to the Reserve for Sick Leave or Resignation or Retirement, account No. 0280-30.

(c) That advice to both appointed and elected officials for the administration of the Group Life Insurance program for employees be provided by consultants, for a fee, commencing August 1, 1985 and accordingly the appointment of an Agent of Record with Canada Life, Kenneth G. Brown Associates, be rescinded as of that date.

24. That leave be granted to introduce the following Bills:-

(a) Bill F-19 - By-law to Authorize a Grant for the Maintenance of the McMaster University Athletic Field

(b) Bill F-20 - By-law to Authorize Construction of an Addition to and Alteration of the Brampton Street Yard Building

(c) Bill F-21 - By-law to Authorize the Acquisition of Parkland

(d) Bill F-22 - By-law to Authorize the Maintaining (Construction of Replacement) of the Lower Section of the Wentworth Street Steps

(e) Bill F-23 - By-law to Authorize the Construction of an Addition to and Alteration of the Ferguson Avenue North Yard Building

(f) Bill F-24 - By-law to Authorize the Construction of Stage 5 - Mohawk Sports Park Community Recreation Centre

(g) Bill F-25 - By-law to Authorize the Construction of Parking Facilities for the Victor K. Copps Trade Centre/Arena

(h) Bill F-26 - By-law to Confirm Proceedings of the Council  
of the Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN I. STOUT, ACTING CHAIRMAN  
FINANCE COMMITTEE

J. J. Schatz, Secretary  
JJS:jm

1985 July 25





THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85-

To Authorize:

HAMILTON PUBLIC LIBRARY

GOVERNMENT DOCUMENTS

1. The construction of local improvements on a concrete alley in the block bounded by Charlton Avenue, Hess, Herkimer and Queen Streets, as described in Schedule "A";
2. The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 1 of the 20th Report of the Finance Committee and Item 19 of the 17th Report of the Transport and Environment Committee, both on the 30th day of October, 1984;

AND WHEREAS the Council has procured to be made reports, estimates and statements for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 29th day of January, 1985, issue Order No. E 850029 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of a concrete alley, in the block bounded by Charlton Avenue, Hess, Herkimer and Queen Streets; and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$ 31,000.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$ 31,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$5,501.60 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:

- (a) to the extent sufficient to provide an amount not exceeding \$31,000.00; and
- (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.

4. The Commissioner of Regional Engineering is hereby authorized to:

- (a) prepare all necessary plans, specifications and reports required for the construction of the works; and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 25th day of June, A.D. 1985.

City Clerk

Mayor

(1984) 20 R.F.C. 1, October 30

(1984) 17 R.T.E.C. 19, October 30



SCHEDULE "A"

The Construction of a CONCRETE ALLEY in the block bounded by Charlton Avenue, Hess, Herkimer and Queen Streets, at the costs not exceeding those set out below:

City's Share	\$25,498.40
Owners' Share	<u>5,501.60</u>
Total Estimated Cost	<u>\$31,000.00</u>

Estimated Cost per metre frontage: \$40.00  
Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

To Extend Hummingbird Lane, by  
Incorporating therein Part 1, Plan 62R-7469

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Hummingbird Lane by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Hummingbird Lane.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of July, A.D. 19 85.

City Clerk

Mayor

(1985) 10 R.T.E.C. 55, June 25

SCHEDULE "A"

Part of Lot 12, Concession 6  
former geographic Township of Barton  
shown as Part 1 on Plan 62R-7469  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
Registry Division of Wentworth (No. 62)



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

To Extend Skylark Drive, by Incorporating  
Therein Block 29, Plan M-306

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Skylark Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton,

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Skylark Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of July, A.D. 1985.

City Clerk

Mayor

(1985) 10 R.T.E.C. 51, June 25

SCHEDULE "A"

Parcel Reserves-1, Section 306

being Block 29, Plan M-306

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Land Titles Division of Wentworth

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

To Widen Rexford Drive, by Incorporating  
Therein a Portion of Block "AX", Plan M-200

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Rexford Drive, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Rexford Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of July, A.D. 1985.

City Clerk

Mayor

(1985) 10 R.T.E.C. 54, June 25



SCHEDULE "A"

Part of Parcel 1'-Reserves-1, Section M-200

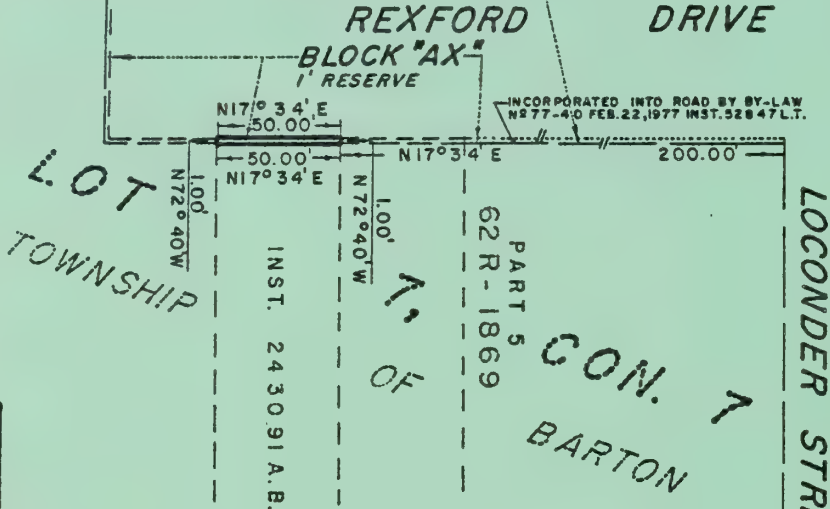
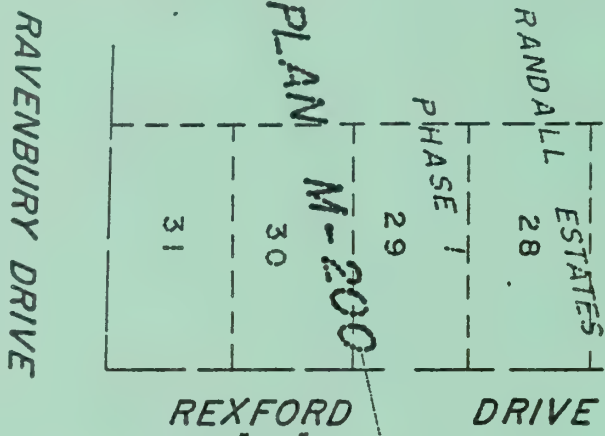
being part of Block "AX", Plan M-200

City of Hamilton

Regional Municipality of Hamilton-Wentworth

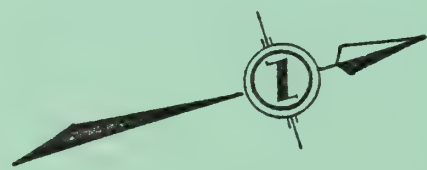
Land Titles Division of Wentworth

and being composed of the southerly fifty feet (50')  
of the northerly two hundred and fifty feet (250') of  
Block "AX" and as shown in heavy outline on Plan  
RA-H-298 attached hereto



LOCONDER STREET

CON. 7  
BARTON



SKETCH TO ILLUSTRATE DESCRIPTION OF  
PART OF BLOCK "AX"-1' RESERVE  
RANDALL ESTATES - PHASE 1  
PLAN M-200  
IN THE  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF  
HAMILTON - WENTWORTH  
SCALE = 1 INCH = 60 FEET  
M. A. CHIDLEY O.L.S.  
1985

BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO  
THE SOUTHEAST LIMIT OF REXFORD DRIVE ON A COURSE OF  
N17°34'E AS SHOWN ON PLAN M-200.  
THIS IS NOT A PLAN OF SURVEY O. REG. 564/80 S. 21 PART.

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH  
DEPARTMENT OF ENGINEERING

SURVEY BY COMP.	FIELD BOOK	FILE NO.	DATE
DRAWN BY I.H.	REF. DWG.		FEBRUARY 1985
			CHECKED BY M.S.

APPROVED *M. A. Chidley*  
COMMISSIONER OF ENGINEERING  
REGIONAL SURVEYOR *M. A. Chidley* O.L.S.  
PLAN NO. RA-H-298 SURVEYS

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

To Extend Hummingbird Lane by Incorporating  
Therein Reserve "E". Plan No. 1193

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Hummingbird Lane by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Hummingbird Lane.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of July, A.D. 1985.

City Clerk

Mayor

(1985) 10 R.T.E.C. 53, June 25

SCHEDULE "A"

Reserve "E", Registered Plan 1193

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Registry Division of Wentworth (No. 62)



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

To Extend Flamingo Drive, by Incorporating  
Therein Block 18, Plan M-294

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Flamingo Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Flamingo Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of July, A.D. 1985.

City Clerk

Mayor

(1985) 10 R.T.E.C. 52, June 25

SCHEDULE "A"

Parcel 1'-Reserves-1, Section M-294

being Block 18, Plan M-294

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Land Titles Division of Wentworth

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

To Establish Part 1, Plan 62R-7613  
and to be Named Huckleberry Drive

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS paragraph 105 of Section 210 of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the council of a municipality may pass by-laws for giving names to highways;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish as a highway to be known as Huckleberry Drive, the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway and named Huckleberry Drive.
2. The Commissioner of Regional Engineering of his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of July, A.D. 1985.

City Clerk

Mayor

(1985) 10 R.T.E.C. 56, June 25

SCHEDULE "A"

Part of Lot 25, Concession 2  
former geographic Township of Saltfleet  
shown as Part 1 on Plan 62R-7613  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
Registry Division of Wentworth (No. 62)



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

To Extend Skylark Drive by Incorporating  
Therein Block 48, Plan 62M-364

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Skylark Drive, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Skylark Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of July, A.D. 1985.

City Clerk

Mayor

(1985) 10 R.T.E.C. 51, June 25

SCHEDULE "A"

Parcel Reserve-1, Section 62M-364

being Block 48, Plan 62M-364

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Land Titles Division of Wentworth

## By-law No. 85 -

## To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting therefrom the following item, namely:-

"Allan	Eastbound	Cope".
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and by adding thereto the following items, namely:-

"Jamie Ann	Northbound and Southbound	Solomon
Evelyn	Westbound	Bow Valley
Bow Valley	Southbound	Vittorito
Evelyn	Eastbound	Prins
Clifton Downs	Southbound	Lasila/Clifton Downs
Houghton	Northbound	Maple
Houghton	Southbound	Central
Monterey	Westbound	Park Row
Delmar	Westbound	Laurier
Laurier	Westbound	Columbia
Abbott	Eastbound	East 25th
Houghton	Northbound	Monterey
Central	Westbound	London
Summer	Northbound	Summerlea".

2. Schedule 18 (No Right Turn On Red Signal Light At Certain Intersections) is hereby amended by adding thereto the following item, namely:-

"Dundurn	Northbound	Aberdeen	Anytime".
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3. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following items, namely:-

"Hughson	East	King to a point 50 feet north of King William
Northcote	East	Beach to 76 feet northerly
Hughson	East	commencing at a point 80 feet north of King William to Wilson
Kingslea	West	Broker to 78 feet south
Kingslea	West	commencing at a point 158 feet south of Broker to a point 142 feet southerly therefrom".

and by deleting therefrom the following items, namely:-

"Brockley	North	From 491 ft. east of east street line of Brockley to 70 ft. easterly
Hughson	East	King to Wilson
Kingslea	West	Broker to 300 ft. southerly".

4. Schedule 30 (Commercial Loading Zones) is hereby amended by adding thereto the following item, namely:-

"Hughson	East	30 feet	50 feet north of King William	8:00 a.m. - 6:00 p.m. Monday to Friday".
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5. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following items, namely:-

"Ninth	South	80 feet	commencing at a point 152 feet east of Fernwood	7:00 a.m. - 6:00 p.m. Monday to Saturday
--------	-------	---------	---	--

Kingslea	West	80 feet	commencing at a point 78 feet south of Broker	7:00 a.m. - 6:00 p.m. Monday to Saturday
Tenth	North	80 feet	commencing at a point 60 feet east of East 45th	7:00 a.m. - 6:00 p.m. Monday to Saturday".

PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 13 R.T.E.C. 66, July 30



## To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended:-

(a) by adding to the Inbound Column of the Bayfront Table the following item, namely:-

"Glow, 150 feet east of Parkdale (F/S)".

(b) by deleting from the Northbound Column of the Victoria Table the following item, namely:-

"Young at Walnut"

(c) by deleting from the South and Eastbound Column of the Parkdale Extension Table the following item, namely:-

"Greenhill at House 592".

and by adding thereto the following item, namely:-

"Greenhill at Quigley".

2. Schedule 26 (No Parking Areas) is hereby amended by adding to Section A (No Parking Anytime) the following items, namely:-

"Brockley Lansdowne	Both South	Barton to Milburn From 132 feet east of Sherman to Lottridge
Robert Robert	South Both	Hughson to 50 feet east Hughson to 50 feet west".

and by deleting therefrom the following items, namely:-

"Brockley	North	From east street line of Brockley to 375 ft. east
Robert	Both	50' east of Hughson to 50' west
Brockley	South	From east street line of Brockley to 476 ft. east
Lansdowne	South	From 130 ft. east of Sherman to 111 ft. easterly".

3. Schedule 27A (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"Ravenbury Rondeau to southerly limit of east-west leg of Ravenbury	North and East	South and West".
--	----------------	------------------

4. Schedule 34 (Sticker Permit Parking) is hereby amended by deleting therefrom the following item, namely:-

"Robert	North	from 50 feet east of Hughson to 101 feet west of John	Anytime".
---------	-------	--	-----------

and by adding thereto the following item, namely:-

"Robert	North	Hughson to 101 feet west of John	Anytime".
---------	-------	-------------------------------------	-----------

PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 13 R.T.E.C. 66, July 30

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

By-law No. 83-71

Respecting:

MEMBERSHIP IN THE BOARD OF MANAGEMENT OF THE  
IMPROVEMENT AREA GENERALLY BOUNDED BY KING WILLIAM STREET,  
MARY STREET, MAIN STREET EAST AND JAMES STREET NORTH

WHEREAS By-law No. 83-71, passed on the 22nd day of February, 1983, established a Board of Management for the Improvement Area aforesaid, and appointed members thereto;

AND WHEREAS By-laws No. 83-250 and 84-168 made changes to the membership in the Board of Management;

AND WHEREAS certain members heretofore appointed under the said by-law have tendered their resignation to the Board of Management;

AND WHEREAS it is intended to make appointments to the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraphs 9 and 17 of clause 2(b) of By-law No. 83-71, as amended by section 1 of By-law No. 84-168, are repealed and the following substituted therefor:

9. Mr. Daniel Marissen - Durward Jones  
Barkwell and Company

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 18 R.P.D.C. 17, June 25

The Corporation of the City of Hamilton

BY-LAW NO.

To Authorize:

DEMOLITION AND CLEARING OF  
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT

323-325 WENTWORTH STREET NORTH

WHEREAS a Notice dated the 25th day of February, 1985 was served or caused to be served in accordance with Subsection 6 of Section 31 of The Planning Act, 1983;

AND WHEREAS an Order dated the 3rd day of April, 1985 was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in Schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Subsection 20 of Section 31 of the said Act, the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Clause (c) of Section 36 of The Property Standards By-Law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.



NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land known as municipal number 323-325 WENTWORTH STREET NORTH, more particularly described in the attached Schedule "A", and to leave the land in a graded and levelled condition.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this       day of       A.D. 19

CITY CLERK

MAYOR

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of part of lot number Twenty-two (22) and part of Lot Number Twenty-one (21) situate on the west side of Wentworth Street in Billings and Lister's Survey, Registered Plan No. 3 of lots made by T. A. Blythe P.L.S. on and upon lot eleven in the First Concession of the Township of Barton, now City of Hamilton, more particularly described as follows:

COMMENCING at the northeasterly angle of said lot twenty-two said point being the interesection of the western limit of Wentworth Street with the southern limit of Birge Street;

THENCE southerly along the western limit of Wentworth Street and the Eastern limits of said lots twenty-two and twenty-one fifty-five feet (55') to the lands deeded to one Launderers by instrument registered as number 112104 for the City of Hamilton;

THENCE westerly along the northern limit of said Launderers lands eighty-one feet six inches (81' 6") more or less to the eastern limit of the lands described in the mortgage from Marion Woolley to the Executors of Stephen Franklin Lazier duly registered;

THENCE northerly along the eastern limit of the lands described in the said mortgage fifty-five feet four inches (55' 4") more or less to the southern limit of Birge Street;

THENCE easterly along the southern limit of Birge Street to the northerly limit of said lot twenty-two, eight-one feet six inches (81' 6") more or less to the place of beginning.

ON THE SAID LANDS is said to be erected dwelling house known as 323 and 325 Wentworth Street North, Hamilton, Ontario

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE EAST SIDE OF UPPER WELLINGTON STREET  
AND NORTH OF STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district and "C" (Urban Protected Residential, etc.) district, to "DE" (Low Density Multiple Dwellings) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "DE" (Low Density Multiple Dwellings) district provisions applicable to the land referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 10A(1) of By-law No. 6593, the following,

- (1) RESIDENTIAL USE shall not be prohibited:

- (i) A residential care facility for the accommodation of not more than 40 residents of at least 60 years of age;

- (b) Clause 4(3)(a) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-913".

5. Sheet No. E-18C of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-913".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this

day of

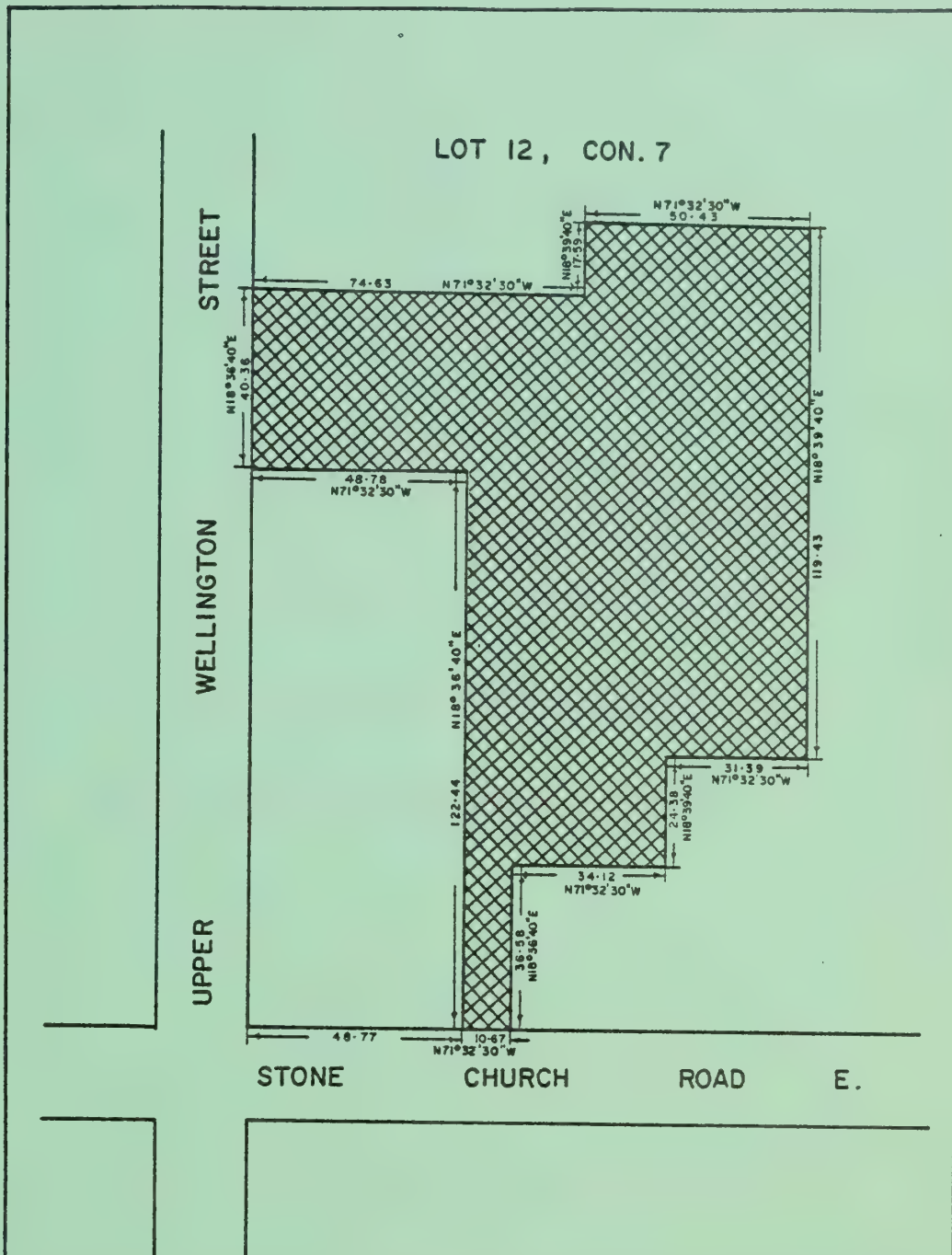
A.D. 1985.

City Clerk

Mayor

(1985) 16 R.P.D.C. 2, May 28  
Mount Hamilton Christian  
Reformed Church, Owner  
ZA-85-20





THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

# CITY OF HAMILTON

## SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



CHANGE IN ZONING FROM "AA" (AGRICULTURAL)  
DISTRICT AND "C" (URBAN PROTECTED RES-  
IDENTIAL, ETC.) DISTRICT TO "DE" (LOW DENSITY  
MULTIPLE DWELLINGS) DISTRICT.

North



Scale

1:1200

Date

85-6-20

Reference File No.

ZA85-20

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Repeal:

By-law NO. 85-37

Respecting:

LAND LOCATED AT MUNICIPAL NO. 3 GARROW DRIVE

WHEREAS By-law No. 85-37, passed on the 26th day of February, 1985, authorized the removal of an unused, damaged passenger vehicle from the property at No. 3 Garrow Drive;

AND WHEREAS the vehicle has been removed by the owner;

AND WHEREAS the authority in the said by-law is no longer necessary.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 85-37 is repealed.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 17 R.P.D.C. 9, June 25

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 236-242 CATHARINE STREET NORTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-3 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "J" (Light and Limited Heavy Industry, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the lands referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding subsections 10(1), (3) and (6) of By-law No. 6593, the following,

- (i) RESIDENTIAL USE shall not be prohibited:

- 1. A residential care facility for the accommodation of not more than 45 residents of at least 60 years of age, within the building existing on the day of the passing of this by-law;

- (b) there shall be provided and maintained on the same lot on which the building referred to in clause 2(a) is situate,
  - (i) an outdoor amenity area not less than 115 square metres;
- (c) notwithstanding subparagraph (1)(1) of Table 1 of clause 18A(1)(a) of By-law No. 6593, a minimum of 9 parking spaces shall be provided and maintained for the residential care facility referred to in clause 2(a);
- (d) subsections 18A(11) and 18A(12) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-914".

5. Sheet No. E-3 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-914".

5. Sheet No. E-3 of the District maps is amended by marking the lands referred to in section 1 of this by-law, "S-914".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

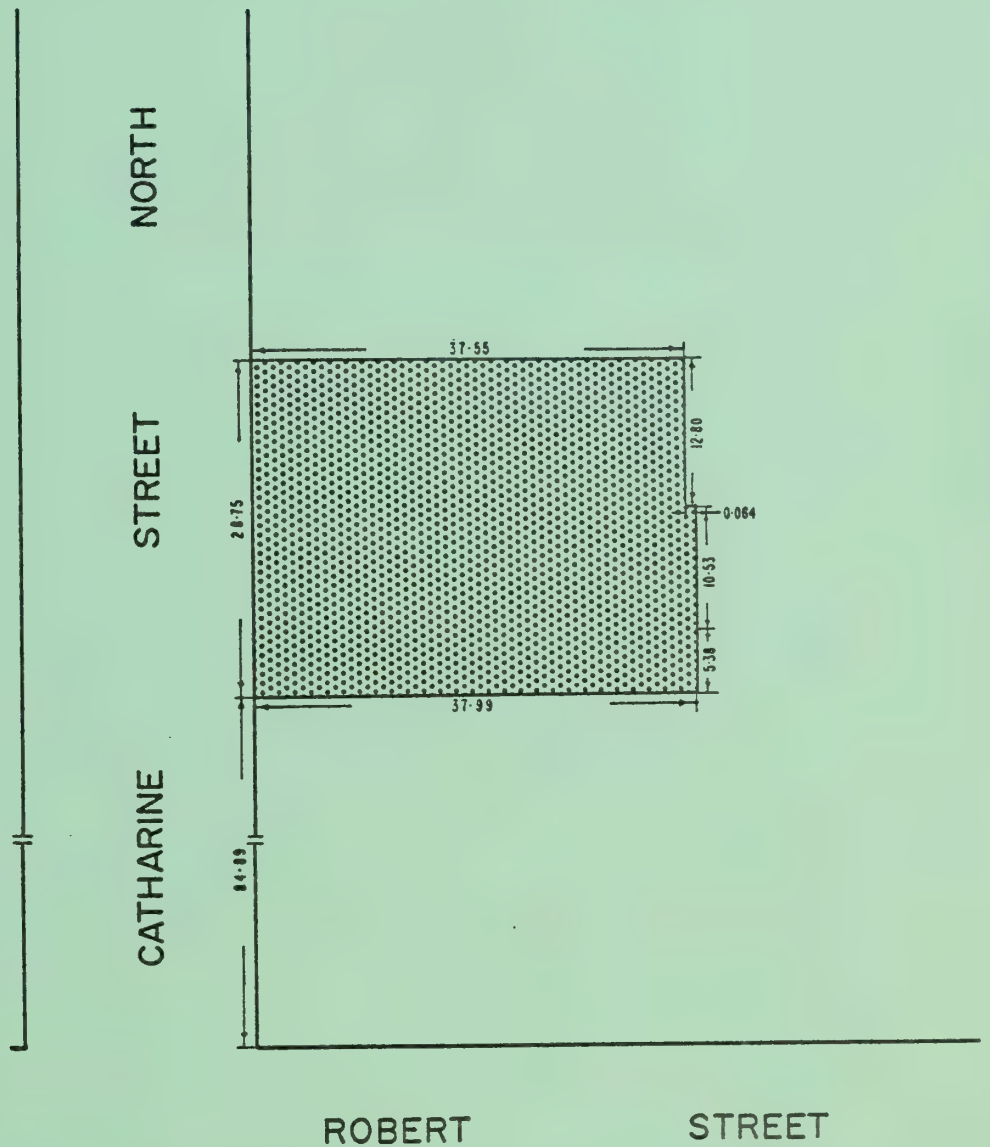
City Clerk

Mayor

(1985) 16 R.P.D.C. 3, May 28  
Martino Residential Care Centres Ltd.,  
Prospective Owner  
ZA-85-23



ALL DIMENSIONS ARE IN METRES



THIS IS SCHEDULE "A" TO BY-LAW NO. 85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

# CITY OF HAMILTON

## SCHEDULE "A"


MAP FORMING PART OF

BY-LAW NO. 85-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

 CHANGE IN ZONING FROM "J" (LIGHT & LIMITED HEAVY INDUSTRY, ETC.) DISTRICT, MODIFIED TO "D" (URBAN PROTECTED RESIDENTIAL-ONE & TWO FAMILY DWELLINGS, ETC.) DISTRICT, MODIFIED.

North



Scale

1: 500

Date

85-05-28

Reference File No.

ZA 85-23

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Adopt:

Official Plan Amendment No. 30

Respecting:

LANDS LOCATED IN THE AREA EAST OF QUIGLEY ROAD  
AND SOUTH OF THE T.H. & B. RAILWAY TRACKS

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 30 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 17 R.P.D.C. 7(A), June 25  
DiCenzo Construction Company Ltd., Owner  
ZA-85-32

AMENDMENT NO. 30  
TO THE CITY OF HAMILTON  
OFFICIAL PLAN

The following text, together with the attached Schedule 'A' hereto, constitute Amendment No. 30.

PURPOSE

The purpose of this Amendment is to delete a "Commercial" designation and substitute a "Residential" designation for those lands shown on the attached Schedule 'A'.

LOCATION

The subject lands are located on the east side of Quigley Road immediately south of the T.H. & B. railway tracks.

BASIS

This Amendment can be supported given its compatibility with the existing and future intended land uses in the area (i.e. apartments are located to the east and south; town-houses are located to the south; and, a proposed neighbourhood plaza and fire station is to be located to the west).

ACTUAL CHANGE

Schedule 'A' of the Official Plan (Land Use Concept) be amended by redesignating the subject lands from "Commercial" to "Residential" as shown in red on the attached Schedule 'A' to this Amendment.

IMPLEMENTATION

A zoning by-law will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. 85- , passed on the day of A.D., 1985.

THE CORPORATION OF THE CITY OF HAMILTON

---

City Clerk

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Mayor

# schedule A amendment no. 30

to the  
official plan  
for the  
city of hamilton

legend

From "Commercial" to  
"Residential"

date  
July 1995

drawn by  
reference file no  
8-2-30

## land use concept

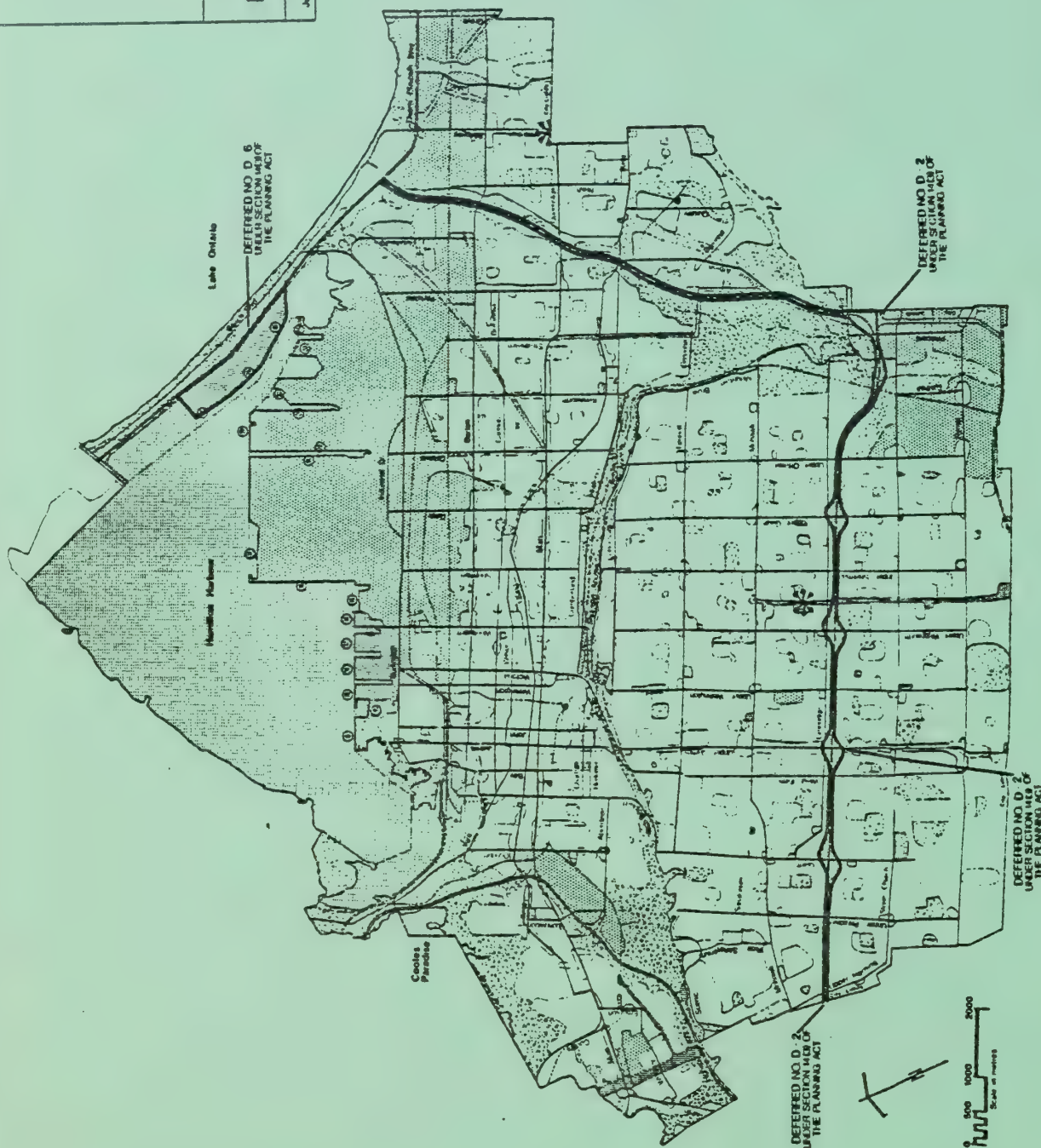
legend

- 1. low density residential
- 2. medium density residential
- 3. high density residential
- 4. commercial
- 5. industrial
- 6. major institutional
- 7. public
- 8. open space, park
- 9. water
- 10. water
- 11. water
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- 98. water
- 99. water
- 100. water

## schedule A

to the official plan  
for  
the city of hamilton

page 11 of 11





The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1305 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-59A and E-59B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

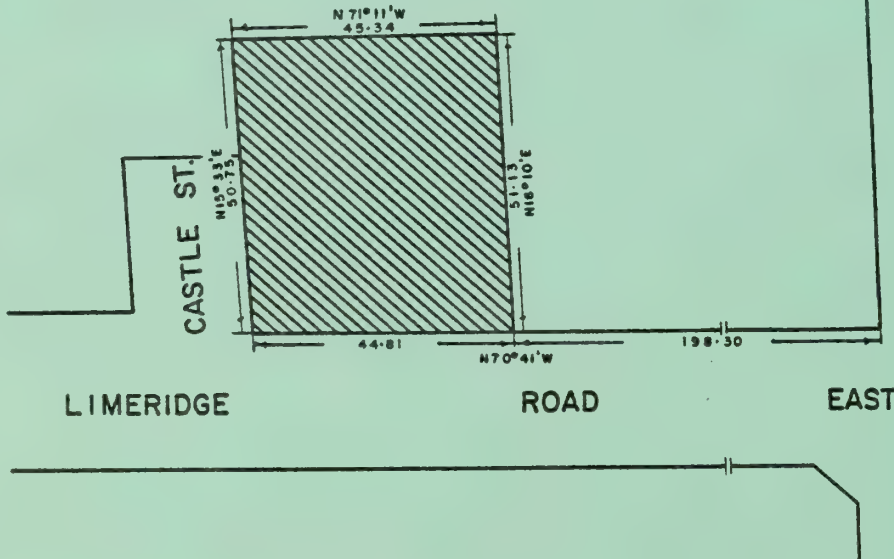
(1985) 18 R.P.D.C. 2, June 25  
P. and Z. Petranovic, Owners  
ZA-85-41

LOT 3 , CON. 6

AVE.

KENILWORTH

UPPER



LIMERIDGE

ROAD

EAST

ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85 -  
PASSED THE DAY OF


-----  
Clerk

-----  
Mayor

CITY OF HAMILTON  
SCHEDULE "A"  
MAP FORMING PART OF  
BY - LAW NO.85 -  
TO AMEND BY- LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

 CHANGE IN ZONING FROM "AA" (AGRICULTURAL)  
DISTRICT TO "C" (URBAN PROTECTED RESIDEN-  
TIAL, ETC.) DISTRICT.

North



Scale  
1:1000

Date  
85-06-21

Reference File No.  
ZA85-41

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 19 BOLD STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 11A (1) of By-law No. 6593, the following,

(i) COMMERCIAL USES are not prohibited within the basement of the building existing on the date of the passing of this by-law:

1. Uses referred to in clause 11A(1)(iii) of By-law No. 6593, including a restaurant and take-out food service, but subject to the requirements in subclauses 11A(1)(iii)(a,c,e,f,g).

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special require-

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 162 HUNTER STREET EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-5 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "L-mr-2" (Planned Development - Multiple Residential) district to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

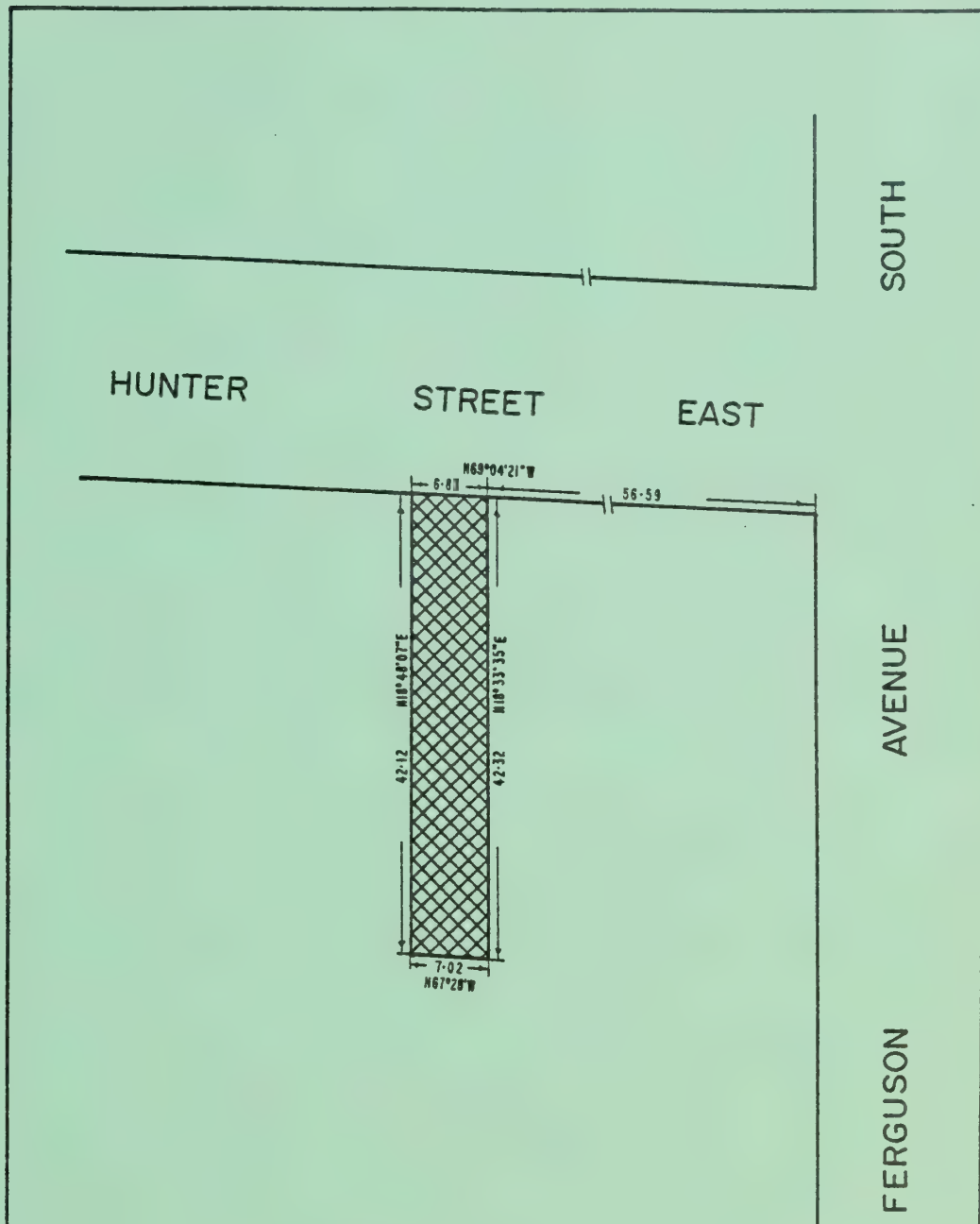
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor







ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

<p>CITY OF HAMILTON SCHEDULE "A" MAP FORMING PART OF BY - LAW NO.85- TO AMEND BY-LAW NO.6593 Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>		<p>Legend</p> <p> CHANGE IN ZONING FROM "L-mr-2" (PLANNED DEVELOPMENT-MULTIPLE RESIDENTIAL) DISTRICT TO "E-1" (MULTIPLE DWELLINGS, LODGES, CLUB, ETC.) DISTRICT.</p>	
<p>North</p> 	Scale	Reference File No.	
	1: 500	ZA 85 - 29	
	Date	Drawing No.	
	85-06-05		

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE EAST AND WEST SIDES OF  
QUEEN VICTORIA DRIVE AT LOCONDER DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) district to "R-4" (Small Lot Single-Family Detached) district, the land comprised in Block 1; and

(b) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 2,

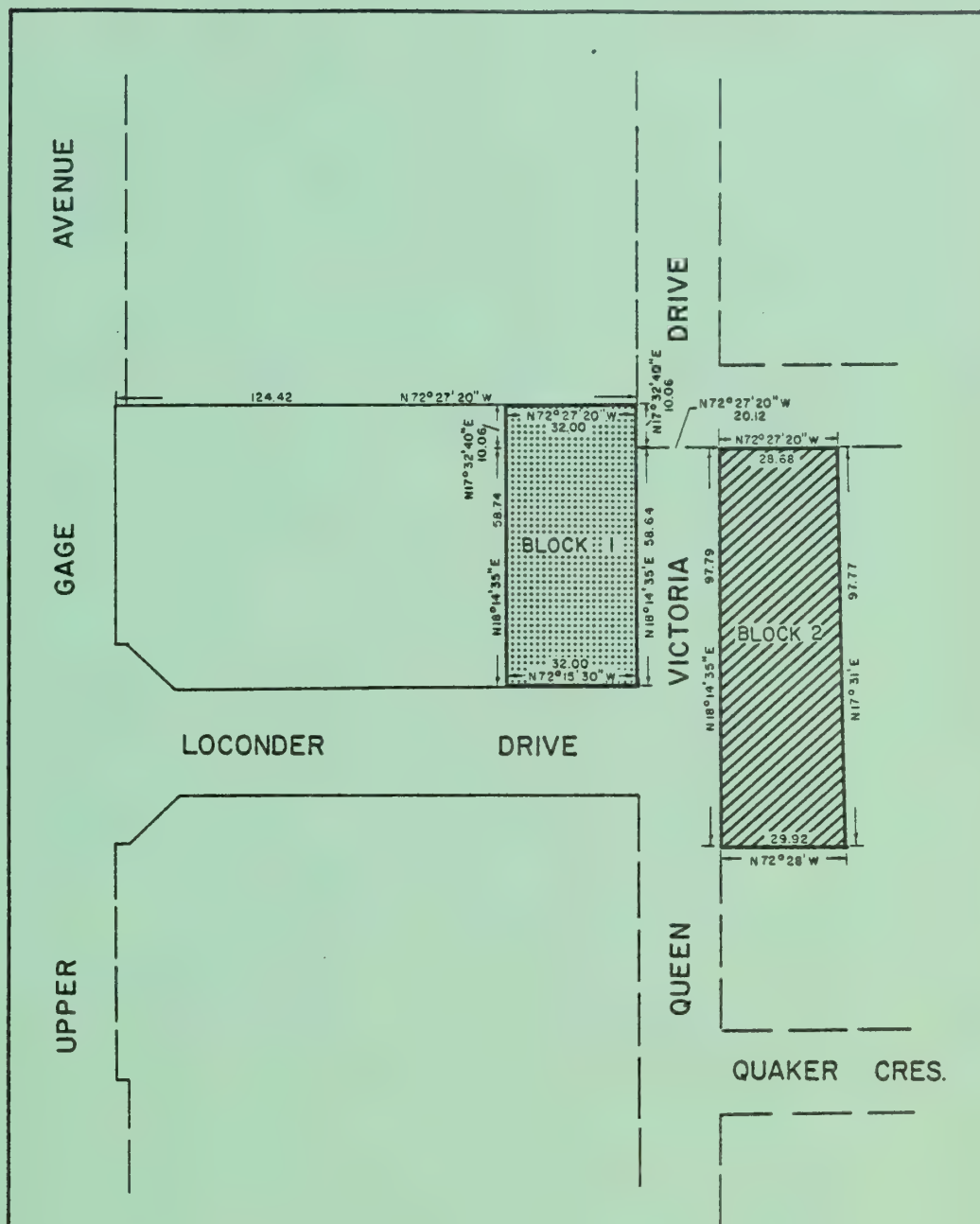
the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor



ALL DIMENSIONS ARE IN METERS

THIS IS SCHEDULE "A" TO BY-LAW No. 85-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**CITY OF HAMILTON  
SCHEDULE 'A'**

MAP FORMING PART OF

**BY-LAW No. 85-**

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

CHANGE IN ZONING FROM  
"AA" (AGRICULTURAL) DISTRICT TO:

- BLOCK 1 "R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT.  
BLOCK 2 "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

North 	Scale N.T.S.	Reference File No. ZA-85-36
	Date JUNE 24, 1985	Drawing No. 85-H-83

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA EAST OF QUIGLEY ROAD  
AND SOUTH OF THE T.H. & B. RAILWAY TRACKS

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-97 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "G-1" (Designed Shopping Centre) district to "RT-10" (Townhouse) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "RT-10" (Townhouse) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

- (a) clause 4(3)(b) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-10" District provisions, subject to the special requirement referred to in section 2.



4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-917".

5. Sheet No. E-97 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-917".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this bylaw, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

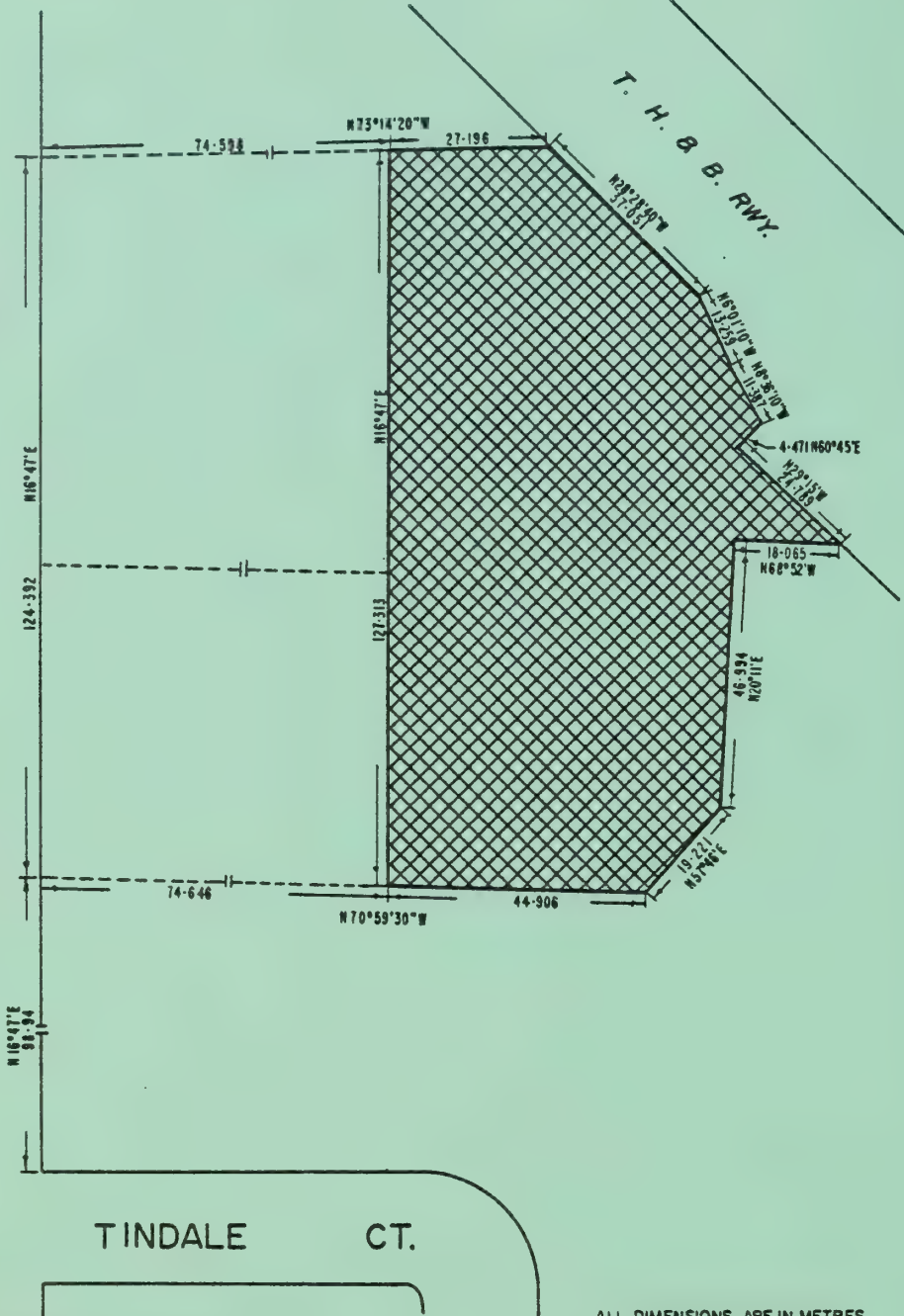
(1985) 17 R.P.D.C. 7, June 25  
DiCenzo Construction Company Ltd., Owner  
ZA-85-32

ROAD

QUIGLEY

TINDALE CT.

T. H. B. B. RWY.



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



CHANGE IN ZONING FROM "G-1" (DESIGNED  
SHOPPING CENTRE) DISTRICT TO "RT-10"  
(TOWNHOUSE) DISTRICT.

North



Scale

1:1000

Date

85-06-03

Reference File No.

ZA 85-32

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO.

To Authorize:

DEMOLITION AND CLEARING OF  
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT

257 BARTON STREET WEST

WHEREAS a Notice dated the 30th day of August, 1983 was served or caused to be served in accordance with Subsection 6 of Section 31 of The Planning Act, 1983;

AND WHEREAS an Order dated the 15th day of November, 1983 was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in Schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Subsection 20 of Section 31 of the said Act, the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Clause (c) of Section 36 of The Property Standards By-Law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land known as municipal number 257 BARTON STREET WEST, more particularly described in the attached Schedule "A", and to leave the land in a graded and levelled condition. See attached specifications.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this        day of                    A.D. 19

CITY CLERK

MAYOR



SCHEDULE "A"

Those lands and premises located in the following municipality, namely, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of parts of Lots Numbers One and Two as shown on Plan of Survey made for Patterson Bros. registered in the Registry Office for the Registry Division of the County of Wentworth as Plan No. 139, and which may be more particularly described as follows, that is to say: COMMENCING at the intersection of the southern limit of Barton Street with the eastern limit of Greig Street, the said intersection being the northwestern angle of Lot Number One aforesaid, the said angle being distant 129 feet measured westerly along the southern limit of Barton Street from the western limit of Queen Street; THENCE easterly along the southern limit of Barton Street, 15 feet 10 1/2 inches more or less to a point in the production northerly of the centre line of the party wall between the dwelling erected upon the lands herein described and known as Number 257 Barton Street West and the dwelling erected upon the lands immediately adjoining on the east and known as Number 255 Barton Street West; THENCE southerly to and along the centre line of the aforesaid party wall and the production southerly thereof, 48 feet more or less to a point in the southern limit of Lot Number Two aforesaid, and said point being distant 111 feet nine and one-half inches measured westerly along the southern limit of said Lot Number Two from the western limit of Queen Street; THENCE westerly along the southern limit of said Lot Number Two, 17 feet 2 1/2 inches more or less to a stake planted in the eastern limit of Greig Street at the southwestern angle of said lot Number Two; THENCE northerly along the eastern limit of Greig Street, 48 feet to the place of beginning. On the above described parcel of land is erected the semi detached dwelling know as Number 257 Barton Street West. The west limit of Queen Street mentioned herein is the west limit as confirmed by BA application #653 and registered as No. D-7.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

Respecting:

CONTROL AND LICENSING OF DOGS

WHEREAS paragraphs 1, 2 and 3 of section 210 of The Municipal Act, R.S.O. 1980, Chapter 302 authorize by-laws for regulating or prohibiting the keeping of animals, for regulating animal breeding or boarding establishments and for providing pounds;

AND WHEREAS Part I of The Dog Licensing and Live Stock and Poultry Protection Act, R.S.O. 1980, Chapter 123 authorizes by-laws for the licensing and registration of dogs and for prohibiting or regulating the running at large of dogs.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,
  - (a) "by-law enforcement officer" means an animal control officer appointed by the poundkeeper and designated as a Provincial Offences Officer;
  - (b) "city" means The Corporation of the City of Hamilton;
  - (c) "control" includes care or custody;
  - (d) "dog" means any dog, male or female, but does not include a dog guide within the meaning of The Blind Persons' Rights Act, or a police work dog;
  - (e) "dog owner" means a person who owns a dog or a person who possesses, keeps, or harbours a dog for any period of time;
  - (f) "guard dog" means a dog that is used to protect non-residential property, but does not include a police work dog;
  - (g) "Hamilton S.P.C.A." means The Hamilton Society for the Prevention of Cruelty to Animals, Inc.;
  - (h) "highway" means a common and public highway, street, avenue, parkway, driveway, square, place and bridge, designed and intended for or used by the general public for the passage of vehicles;
  - (i) "holidays" has the same meaning as in The Interpretation Act;
  - (j) "kennel" means an establishment for the breeding or boarding of dogs;
  - (k) "licence" means a receipt issued by the Treasurer of the city;

- (l) "licensing agent" means the Hamilton S.P.C.A.;
- (m) "licensing committee" means The City of Hamilton Licensing Committee, established under By-law No. 78-224;
- (n) "municipal property" means property other than a highway or public park;
- (o) "person other than dog owner" does not include by-law enforcement officer, poundkeeper or licensing agent;
- (p) "police work dog" means a dog trained for and actually engaged in law enforcement for the Hamilton-Wentworth Regional Police;
- (q) "poundkeeper" means the Hamilton S.P.C.A.;
- (r) "public place" includes a highway, public park and other municipal property;
- (s) "public park" means a park, recreation area, recreation centre, playlot, playground, school ground, athletic field, square, avenue, boulevard, drive, and any building thereon intended for, or used by, the general public;
- (t) "running at large" means to be found in any place other than the premises of the owner of the dog and not under the control of any person.

## PART 1

### Dog Control

- 2. (1) No dog owner shall acquiesce in, allow, permit or cause, his dog to run at large.
- (2) Every dog owner shall prevent his dog from running at large.
- 3. (1) Notwithstanding that a dog is under the control of any person other than a dog owner when not on the premises of the dog owner, the dog owner shall not allow, permit, or cause the dog to be found, or shall not acquiesce in the dog being found on or in the following premises:
  - 1. A public park.
  - 2. A highway or municipal property, except under physical restraint by means of a leash or other means of confinement.
  - 3. Private property, without the consent of the owner of the premises.
- (2) Any person other than a dog owner who has under his control a dog when not on the premises of the dog owner, shall not allow, permit, or cause the dog to be found on or in the premises referred to in subsection 1.
- 4. Every dog owner referred to in subsection 3(1) and every person other than the dog owner referred to in subsection 3(2), shall prevent the dog being found on or in the premises referred to in subsection 3(1).

5. No dog owner and no person other than a dog owner who has a dog under his control by means of a leash, shall permit the dog to enter upon private property without the consent of the owner of the property.

6. No guard dog shall be kept or harboured on non-residential property by a dog owner or a person having control of the dog, unless the dog owner or person posts or causes to be posted conspicuous, legible and clearly visible signs at the location where the dog is commonly kept or harboured, informing the public that a guard dog is kept or harboured on the property.

7. A by-law enforcement officer may capture and take into custody any dog,

- (a) found running at large;
- (b) in or on,
  - (i) a public park;
  - (ii) a highway or municipal property when not under physical restraint by means of a leash or other means of confinement;
  - (iii) on private property without the consent of the owner of the premises.

8. (1) Every dog delivered to the poundkeeper shall be impounded upon delivery to him by a by-law enforcement officer.

(2) Except for a female dog in heat, every dog impounded shall be detained for a period of three days from the time of delivery to the poundkeeper, exclusive of holidays.

(3) Subject to subsection 10(2) every female dog seized and captured while in heat, shall be impounded at least during heat but for not more than 21 days from the time of delivery to the poundkeeper, exclusive of holidays.

9. Every dog owner and any person other than a dog owner having control of a female dog in heat, shall keep the dog confined in a manner as to prevent access to the female dog by male dogs.

10. (1) Except as provided in subsection 2, every dog that has been impounded shall be claimed by the dog owner within seventy-two hours from the time of delivery to the poundkeeper, exclusive of holidays.

(2) No female dog in heat shall be released to the dog owner unless arrangements satisfactory to the poundkeeper have been made by the dog owner, for confinement of the female dog in a manner as to prevent access to the dog by male dogs.

11. Where a dog is claimed, the owner shall provide proof of ownership of the dog, and



- (a) for a dog, for which a current year's dog tag has not been issued, pay a pound fee of \$25.00 and \$6.00 per day or portion thereof for each day the dog is in custody and also procure a licence for such dog;
- (b) for a dog for which a current year's licence has been issued, pay a pound fee of \$15.00 and \$6.00 per day or portion thereof for each day during which the dog is in custody;
- (c) for a dog with or without an identification tag taken into custody two or more times in a calendar year, pay a pound fee of \$30.00 and \$6.00 per day or portion thereof for each day the dog is in custody, each time the dog is in custody.

12. Where the owner of a dog does not claim the dog he shall, when known to the poundkeeper, pay a pound fee of \$25.00 and \$6.00 per day or portion thereof for each day the dog is in custody.

13. Where a dog that is impounded is not claimed by the dog owner within the time provided in subsection 10(1), the poundkeeper may detain the dog for such further time as he may consider proper and during that time,

- (a) sell the dog for such price as he may consider proper; or
- (b) kill the dog in a humane manner or dispose of the dog as he sees fit.

14. Where a dog is injured before or after being captured or taken into custody, or in the opinion of the poundkeeper should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Animal Control Officer or other officer appointed by the poundkeeper, may kill the dog in a humane manner as soon after capture or custody as he may determine without permitting any person to reclaim the dog or without offering it for sale.

15. Where a dog is captured or taken into custody and the services of a Veterinary Surgeon are secured by the poundkeeper and the dog is not killed or the dog dies or is killed, the owner shall pay to the poundkeeper all fees and charges of the Veterinary Surgeon in addition to all other fees and per diem charges payable under this by-law.

16. (1) No person shall forceably retrieve a dog from a by-law enforcement officer.

(2) No person shall break and enter into a patrol or other vehicle of the Hamilton S.P.C.A. for the purpose of retrieving a dog.

(3) No person shall retrieve a dog without payment in full of all fees and charges payable under this by-law.

17. No compensation, damages, fees or other sum shall be,

- (a) recoverable by a dog owner or person other than a dog owner;
- (b) paid by the Hamilton S.P.C.A.,

on account of, or by reason of,

- (c) capturing, taking into custody, or impounding a dog, or
- (d) selling, killing or disposing of a dog,

in the course of the administration and enforcement of this by-law.

18. (1) No dog owner and no person who has control of a dog shall suffer, allow, or permit the dog to defecate on or in the following premises:

- 1. Public place;
- 2. Private property, without the consent of the owner of the premises.

(2) The dog owner or person referred to in subsection 1 shall immediately and without delay, remove the excrement and provide for its sanitary disposition.

## PART 2

### Licensing

19. (1) Every dog owner, except a kennel owner or operator shall, upon application and payment of licence fees and upon approval of the licensing agent, obtain from him not later than January 2nd in each year, a licence and a dog tag.

(2) A separate application for a licence shall be made for each dog.

(3) Every application shall contain a description of the dog sufficient to identify the dog and the date on which the dog was acquired, accompanied by a receipt for the acquisition or other information satisfactory to the licensing agent.

(4) Every licence shall be for one year and expire on December 31st in each year.

20. (1) Except as provided in subsection 2, a licence fee shall be paid to the licensing agent at the time the licence is issued, in accordance with schedule "A" hereto annexed and forming part of this by-law.

(2) A person in receipt of an old age pension under The Old Age Security Act (Canada), shall pay 25% of the amount of the licence fees set out in schedule "A".

21. A dog owner to whom a licence is issued in respect of a dog, shall be provided with a registration number for the dog, and a dog tag without cost.

22. (1) A dog tag shall be a metallic plate having raised, cast or stamped thereon figures that indicate the year for which the licence fee has been paid and the registration number of the dog.

(2) Every guard dog owner shall be provided with a special red tag without cost.

23. Notwithstanding any other provision of this by-law, no fee shall be paid for a licence and a dog tag,

- (a) where a certificate is produced from the Canadian National Institute For the Blind, stating that a dog is a dog guide;
- (b) where a certificate from a recognized training establishment is produced, stating that a dog is being used as a hearing dog;
- (c) where a dog is a police work dog.

24. (1) Every licence is personal to the holder thereof and no licence is transferable.

(2) No person shall use a dog tag in respect of any dog for which the licence was not issued.

25. Every dog tag shall be securely affixed to a collar on the dog in respect of which the licence was issued, and shall remain so affixed until a licence is issued and a tag provided for the next subsequent year.

26. (1) Except as provided in section 23, where a dog tag has been lost, the dog owner shall apply to the licensing agent for a replacement dog tag.

(2) The application shall be accompanied by,

- (a) proof that the current year's licence fee has been paid; and
- (b) payment of a fee of \$1.00 to the licensing agent.

(3) Upon receipt of the application, the licensing agent may provide a replacement tag.

### PART 3

#### Kennels

27. (1) Every person who owns or operates a kennel shall, upon application and payment of a licence fee and upon the approval of the licensing agent, obtain from him not later than January 31st in each year, a licence to operate a kennel.

(2) A separate application for a licence shall be made for each kennel.

(3) Every applicant for a licence shall pay a licence fee of \$50.00.

(4) Every kennel licence shall be for one year and expire on December 31st in each year.

28. (1) Every person who owns or operates a kennel shall comply with the following regulations:

1. The kennel building shall have a floor made of concrete or other impermeable material.
2. The floor of the kennel building shall have a drain opening constructed as a plumbing fixture maintained in functioning condition at all times.
3. The kennel floor shall be thoroughly cleaned at least once every day, or more often as may be necessary to keep the floor clean.
4. The kennel and surrounding area shall be maintained in a sanitary, ventilated and clean condition free from offensive odours.
5. Dogs shall be kept in sanitary, well bedded, well ventilated, lighted and clean quarters which are kept at healthful temperatures, at all times.
6. Dogs shall be fed and watered periodically each day and kept in a clean and healthy condition, free from vermin and disease.
7. Exercise areas shall be provided so as to enable each dog to exercise freely and easily so as to maintain physical health and well-being.
8. A security fence of adequate height, type and construction shall encircle the perimeter of the kennel area so as to prevent dogs from escaping from the premises.

(2) Every person who owns or operates a kennel shall comply with the by-laws of the city.

(3) Where an owner or operator of a kennel fails to comply with a by-law of the city, the licence may be suspended or revoked and The Statutory Powers Procedure Act shall apply.



(4) A hearing in respect of a proposed suspension or revocation shall be held before the licensing committee.

29. (1) Every person who owns or operates a kennel shall permit a by-law enforcement officer to enter and inspect the kennel at all reasonable times, upon production of proper identification, for the purpose of determining compliance with this by-law.

(2) A by-law enforcement officer may enter and inspect the kennel under authority of a search warrant issued under section 142 of The Provincial Offences Act.

(3) Where a by-law enforcement office finds that the owner or operator of a kennel does not comply with any regulation in section 28, he may direct that the dogs shall be seized and impounded by the poundkeeper.

#### PART 4

##### Voluntary Payment Out of Court

30. Where a by-law enforcement officer believes that one or more persons has committed an offence under this by-law, the officer may issue an offence notice or summons in accordance with section 3 of The Provincial Offences Act.

#### PART 5

##### Penalties

31. (1) Every dog owner who allows his dog to run at large contrary to section 2, is guilty of an offence and on conviction is liable to a fine of not more than \$50.00, exclusive of costs.

(2) Every dog owner and every person other than a dog owner who contravenes any other provision of PART 1, is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.

32. Every dog owner, except a kennel owner or operator, and any person other than a dog owner who contravenes any provision of PART 2, is guilty of an offence and on conviction is liable to a fine of not more than \$50.00, exclusive of costs.

33. Every person who owns or operates a kennel and every person other than a dog owner who contravenes any provision of PART 3, is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.

34. By-law No. 76-271, as amended by By-law No. 82-120, and By-law No. 76-272, as amended by By-law No. 82-121, are repealed.

PASSED this

day of

A.D. 1985.

City Clerk

Mayor

SCHEDULE "A"

(Section 20)

1. Where a licence is issued during the period from January 1st to and including April 1st, the licence fees shall be in the amounts as follows:
  1. One spayed or neutered dog.....\$10.00
  2. Each additional spayed or neutered dog.....\$10.00
  3. One not spayed or neutered dog.....\$20.00
  4. Each additional not spayed or neutered dog.....\$25.00
2. Where a licence is issued during the period from April 2nd to and including June 31st, for a dog acquired prior to April 2nd, the licence fee shall be in the amounts as follows:
  1. One spayed or neutered dog.....\$12.00
  2. Each additional spayed or neutered dog.....\$12.00
  3. One not spayed or neutered dog.....\$22.00
  4. Each additional not spayed or neutered dog.....\$27.00
3. Where a licence is issued during the period from July 1st to and including December 31st, the licence fees for a dog acquired prior to July 1st, shall be in the amounts as follows:
  1. One spayed or neutered dog.....\$20.00
  2. Each additional spayed or neutered dog.....\$20.00
  3. One not spayed or neutered dog.....\$30.00
  4. Each additional not spayed or neutered dog.....\$35.00
4. Where a license is issued during the period from July 1st to and including December 31st, the licence fees for a dog acquired after July 1st, shall be in the amounts as follows:
  1. One spayed or neutered dog.....\$ 5.00
  2. Each additional spayed or neutered dog.....\$ 5.00
  3. One not spayed or neutered dog.....\$10.00
  4. Each additional not spayed or neutered dog.....\$12.50

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

**A GRANT FOR THE MAINTENANCE OF  
THE McMASTER UNIVERSITY ATHLETIC FIELD**

WHEREAS the Ontario Municipal Board, by Order dated the 27th day of June, 1985, (File No. E 850551), approved,

- (a) the maintenance of the McMaster University athletic field by re-surfacing the existing running track at an estimated cost of \$100,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the maintenance of the McMaster University athletic field by resurfacing the existing running track, by way of a grant-in-aid to McMaster University, may now proceed in accordance with the Ontario Municipal Board Order, dated the 27th day of June, 1985, (File No. E 850551).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

THE CONSTRUCTION OF AN ADDITION TO AND ALTERATION OF  
THE BRAMPTON STREET YARD BUILDING

WHEREAS the Ontario Municipal Board, by Order dated the 27th day of June, 1985, (File No. E 850552), approved,

- (a) the construction of addition to and alteration of the Yard Building located in District No. 3 on Brampton Street at an estimated cost of \$293,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the construction of addition to and alteration of the Yard Building located in District No. 3 on Brampton Street, may now proceed in accordance with the Ontario Municipal Board Order dated the 27th day of June, 1985, (File No. E 850552).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

THE ACQUISITION OF PARKLAND

WHEREAS the Ontario Municipal Board, by Order dated the 27th day of June, 1985, (File No. E 850555), approved,

- (a) an expenditure of \$500,000.00 for the Parkland Acquisition Program and the borrowing of money therefor, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the Parkland Acquisition Program may now proceed in accordance with the Ontario Municipal Board Order dated the 27th day of June, 1985, (File No. E 850555).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

**THE MAINTAINING (CONSTRUCTION OF REPLACEMENT) OF  
THE LOWER SECTION OF THE WENTWORTH STREET STEPS**

WHEREAS the Ontario Municipal Board, by Order dated the 27th day of June, 1985, (File No. E 850554), approved,

- (a) the maintaining (construction of replacement) of the lower section of the Wentworth Street Steps located at the Mountain Brow Park Area at an estimated cost of \$230,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the maintaining (construction of replacement) of the lower section of the Wentworth Street Steps located at the Mountain Brow Park Area, may now proceed in accordance with the Ontario Municipal Board Order dated the 27th day of June, 1985, (File No. E 850554).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

THE CONSTRUCTION OF AN ADDITION TO AND ALTERATION OF  
THE FERGUSON AVENUE NORTH YARD BUILDING

WHEREAS the Ontario Municipal Board, by Order dated the 27th day of June, 1985, (File No. E 850553), approved,

- (a) the construction of an addition to and alteration of the Yard Building located in District No. 2 Yard on Ferguson Avenue North at an estimated cost of \$125,000.00 and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the construction of an addition to and alteration of the Yard Building located in District No. 2 Yard on Ferguson Avenue North, may now proceed in accordance with the Ontario Municipal Board Order dated the 27th day of June, 1985, (File No. E 850553).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

**THE CONSTRUCTION OF STAGE 5 -  
MOHAWK SPORTS PARK COMMUNITY RECREATION CENTRE**

WHEREAS the Ontario Municipal Board by Order dated the 7th day of June, 1985, (File No. E 850503), approved,

- (a) the construction of Stage 5 - Mohawk Sports Park Community Recreation Centre comprised of a fieldhouse and two new baseball diamonds at an estimated cost of \$650,000.00 and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the same of debentures, and
- (b) the issuance of the necessary debentures as set out below by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the construction of a fieldhouse and two new baseball diamonds may now proceed in accordance with the Order of the Ontario Municipal Board dated the 7th day of June, 1985, (File No. E 850503).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1984) 14 R.P.R.C. 18, August 28  
(1984) 17 R.F.C. 4, September 25



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

THE CONSTRUCTION OF PARKING FACILITIES FOR  
THE VICTOR K. COPPS TRADE CENTRE/ARENA

WHEREAS the Ontario Municipal Board by Order dated the 7th day of June, 1985, (File No. E 850450), approved,

- (a) the construction of parking facilities for the Victor K. Copps Trade Centre/Arena at an estimated cost of \$590,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the construction of parking facilities for the Victor K. Copps Trade/Centre Arena may now proceed in accordance with the Ontario Municipal Board Order dated the 7th day of June, 1985, (File No. E 850450).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 7 R.F.C. 5, April 9

BY-LAW NO. 85-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE THIRTIETH DAY OF JULY,  
A.D., 1985

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the  
Revised Statutes of Ontario, 1980, the powers of a municipal corporation  
are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act,  
being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of  
every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council  
of The Corporation of the City of Hamilton at this meeting be confirmed  
and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton  
enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton  
in respect to each recommendation contained in the Reports of the  
Committees and of the local Boards and Commissions and each motion and  
resolution passed and other action taken by the Council of The  
Corporation of the City of Hamilton at this meeting is hereby adopted  
and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of  
Hamilton are hereby authorized and directed to do all things necessary  
to give effect to the action of the Council of The Corporation of the  
City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the  
City Clerk, or in the absence of the City Clerk, the Deputy City Clerk,  
are authorized and directed to execute all documents necessary in that  
behalf and to affix thereto the seal of The Corporation of the City of  
Hamilton.

PASSED this THIRTIETH            day of            JULY,            A.D. 1985

City Clerk

Mayor



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M21  
1985

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, 1985 August 27  
7:30 o'clock p.m.  
Council Chambers  
City Hall

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HAMILTON PUBLIC LIBRARY

AUG 26 1985

GOVERNMENT DOCUMENTS

**A G E N D A**

1. Prayer
2. Presentation - Exchange Students (Hungarian Scouts) from Calgary
3. Minutes of the meetings held 1985 July 30 and August 20
4. Reports of Standing Committees - attached:
  - A Transport and Environment Committee
  - B Parks and Recreation Committee
  - C Planning and Development Committee
  - D Legislation Committee
  - F Finance Committee
  - G Mayor R. M. Morrow
5. Notices of Motion from previous meeting -
  - (a) Alderman Wm. Powell
  - (b) Alderman T. Murray
6. Notices of Motion for next meeting
7. First reading of the Bills
8. Second reading of Bills - Committee of the Whole
9. Third reading of Bills
10. Question period
11. Adjournment





## REPORTS



## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIFTEENTH** Report for 1985 and respectfully recommends:

1. For the information of Council, the Transport and Environment Committee, at its meeting held Monday, July 22, 1985 appointed the following citizen member to fill a vacancy on the Pollution Control Sub-Committee:

Ms. Irene Stayshyn

2. That the Chairman or his designate and a staff member be authorized to attend the 1985 International Conference presented by the Air Pollution Control Association, November 3-6, Vancouver, British Columbia.
3. That an Offer to Purchase the lands of the Corporation of the City of Hamilton duly executed on June 14, 1985 by the Purchaser, Dover Construction and Consultants Inc. and scheduled for closing on October 18th, 1985, be approved and completed.

**NOTE:** The property is composed of a parcel of land located on the south side of Limeridge Road East having a frontage of 4 feet and containing an area of .02498 acres (more or less) and more particularly described as Part 2, Plan 62R-3423 save and except the northerly 10 feet of Part 2 abutting Limeridge Road East.

The purchase price is \$9 397.59 which represents the cost of City services on Leggett Crescent. A deposit cheque in the amount of \$1 000 is being held by the City Treasurer pending Council approval.

4. (a) That the leasing of 203 Simcoe Street East to Norma White commencing August 7, 1985 at a one time rental of \$100 and commencing September 1, 1985 at a monthly rental of \$300 including realty taxes, be approved; and  
(b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.
5. (a) That the City owned land at 979 Queenston Road in Stoney Creek be leased to Mr. Anthony Semens for the period December 6, 1985 to December 24, 1985 at a rental of \$290 (including realty taxes); and  
(b) That the City Solicitor be authorized to prepare the necessary lease.

**NOTE:** Mr. Semens is to provide liability insurance and be responsible for all licences and business taxes. The applicant to deposit with the City the sum of \$500 as a guarantee for cleanup and repair of any damage which may be done to the lands.

6. That the closing date for the sale of 3.012 acres, known as the Hill Street Public Works Yard, to Hamilton Baptist Non-Profit Homes Corporation, be amended to December 16, 1985.
7. That northbound traffic on Charles Street be required to stop at Hurst Place.
8. That a stop sign be erected to control eastbound traffic on Brookstream Court at Glen Vista Drive.
9. That a parking prohibition be implemented on the west side of West 3rd Street commencing at Wembley Road and extending to a point 68 feet southerly therefrom.
10. That stopping be prohibited on the east side of Weir Street North, between Main Street East and a point 80 feet northerly therefrom.
11. That parking be prohibited on the west side of Ferguson Avenue North between Cannon Street East and Barton Street East.
12. (a) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of Burton Street between Victoria Avenue North and 300 feet easterly be rescinded; and  
(b) That the existing "Alternate Side Parking" and "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulations which are presently signed for the remainder of the block between Victoria Avenue North and Emerald Street, be extended westerly to Victoria Avenue North.
13. (a) That an additional three parking meters be installed on the north side of Jackson Street East, mid-block between Catharine Street and Walnut Street; and  
(b) That the "No Parking" corner clearance on the north side of Jackson Street East, commencing at Catharine Street and extending to a point 50 feet easterly therefrom be shortened, such that the prohibition extends to a point 45 feet east of Catharine Street.
14. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulatin be implemented on both sides of East 25th Street between Crockett Street and Queensdale Avenue.
15. That a stopping prohibition be implemented on the south side of Burland Crescent, commencing at a point 192 feet west of Parkdale Avenue North and extending to a point 204 feet westerly therefrom.
16. That a parking prohibition be implemented on the north side of Dunsmure Road, commencing at a point 87 feet east of Ottawa Street North and extending to a point 24 feet easterly therefrom.
17. That a parking prohibition be implemented on the east side of Summercrest Drive, commencing at Greenhill Avenue and extending to a point 50 feet northerly therefrom.
18. That the application by Julian Bertozzi to lease a portion of the boulevard of Bay Street North, adjacent to 268 Bay Street North, be approved provided that:



- (a) the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1984 March 13 (current rate is \$2.69 per square metre), plus taxes, if any, in addition to the \$10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.
  - (b) the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
  - (c) the approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
  - (d) the owner prepares and executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
19. (a) That the agreement permitting vehicles to be parked on the boulevard of Jackson Street West adjacent to the Calabria Supermarket, 103 Locke Street South, be terminated; and
- (b) That the City Solicitor be directed to prepare the necessary documents in relation to the termination of this agreement; and
- (c) That the owner of the property be instructed to restore the boulevard area to grass by no later than 1985 September 30; and
- (d) The Department of Public Works be directed that, in the event that the boulevard has not been restored to the satisfaction of the Director of Public Works, by 1985 September 30, the necessary works be performed by that Department, on October 1, 1985, and the costs be added to the tax rolls; and
- (e) That the Hamilton-Wentworth Regional Police Department be requested to provide thorough enforcement of truck route violations on Pearl and Jackson Streets immediately.
20. (a) That the engineering schedules for the estimated cost of services in "Chateau Estates - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- (b) That the City's share for the cost of services for this development (\$23 830.75) be charged to the Reserve for Services Through Unsubdivided Lands, account 0280-12;

TYPE OF WORK

AMOUNT TO BE FINANCED

Curbs and Walks	\$2 780.00
Final Roadways	6 950.00
Catch Basins and Connections	2 260.00
Fencing	620.00
Street Lighting	750.00
Watermains	2 736.00
Sanitary & Storm Sewers	<u>7 734.75</u>

TOTAL

\$23 830.75

- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
- (e) That the City Treasurer be authorized and directed to issue a cheque following the registration of the Final Plan, payable to the Region of Hamilton-Wentworth for the sum of \$7 734.75, as the City's share for existing sewers adjacent to the City parklands.

**NOTE:** Clause 5(b) of the Seventh Report of the Planning and Development Committee adopted by City Council on 1985 March 12, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Mohawk Paradise Developments Ltd.

21. That the application of the following organizations to place banners on Main Street West, in front of City Hall, on the designated dates be approved:

- (a) Theatre Aquarius from Tuesday, September 3, 1985 to Monday, September 9, 1985

Message to read: "Theatre Aquarius Cordially Invites You to Celebrate With Us, Opening October 2, 1985 at the Studio Theatre, Hamilton Place"

- (b) St. Joseph's Hospital Building Campaign from Monday, September 16, 1985 to Monday, September 23, 1985

Message to read: "St. Joseph's Hospital Building Campaign Presents Another Special Event, For Tickets Call 522-4941 Ext. 3136"

- (c) Theatre Aquarius from Monday, September 23, 1985 to Monday, October 7, 1985

Message to read: "Theatre Aquarius Cordially Invites You to Celebrate With Us, Opening October 2, 1985 at the Studio Theatre, Hamilton Place"

- (d) Hamilton International Auto Show from Monday, October 7, 1985 to Monday, October 28, 1985

Message to read: "Hamilton International Auto Show, Hamilton Convention Centre, October 23-27, 1985"

- (e) Hadassah-Wizo Organization of Hamilton from Monday, October 28, 1985 to Monday, November 4, 1985

Message to read: "Hadassah-Wizo Organization of Hamilton at the Hamilton Convention Centre, November 4, 1985, 10:00 a.m. to 8:00 p.m."

- (f) Leeds of Hamilton Limited from Monday, December 23, 1985 to Monday, January 6, 1986

Message to read: "Leeds Bridal Show '86, Hamilton Convention Centre, January 7-8, 6:00 p.m. and 8:30 p.m."

provided that they meet the following conditions:

- i. That all applicants pay a \$100 fee for each installation; and
  - ii. That the applicants indemnify and save the City of Hamilton and the Region of Hamilton-Wentworth harmless from all actions, causes of actions, interest, claims, costs, damages, expenses and loss; and
  - iii. That the applicant produce proof of public liability and property damage insurance of at least \$1 000 000 naming the City of Hamilton and the Region as added insured parties with a provision for cross liability, and have it filed with the Commissioner of Transportation; and
  - iv. That the design and construction of the banner conform to the standards established by the Commissioner of Transportation and the Department of Public Works; and
  - v. That the applicant submit a drawing(s) to the Commissioner of Transportation, showing the subject matter and content of the banner, prior to fabrication.
22. That the application of St. Paul's Presbyterian and James Street Baptist Churches to temporarily close Jackson Street from James Street, westerly to the public assumed alley, to hold a church social on Wednesday, August 28, 1985, from 6:30 p.m. to 9:00 p.m., be approved, subject to the following conditions:
- (a) That all signing and barricading will be subject to the direction of the Regional Police Department;
  - (b) That clean-up will be carried out immediately following the event, at no cost to the City;
  - (c) That the applicant provide proof of \$1 000 000 public liability insurance, prior to the event, naming the City of Hamilton as an additional insured party with a provision for cross liability, and saving the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That no property owner within the barricaded area will be denied access to his/her property upon request.
23. That the application of the Abbot Court Neighbourhood Association, to temporarily close Abbot Court, to hold a "Street Party" on Saturday, August 24, 1985, from 3:00 p.m. to 11:00 p.m., or on a rain date of Sunday, August 25, 1985, from 3:00 p.m. to 11:00 p.m., be approved, subject to the following conditions:
- (a) That all signing and barricading will be subject to the direction of the Regional Police Department and at the expense of the organizing group;



- (b) That clean-up will be carried out immediately following the event, at no cost to the City;
  - (c) That the applicant provide proof of \$1 000 000 public liability insurance, prior to the event, naming the City of Hamilton as an additional insured party with a provision for cross liability, and saving the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That no property owner within the barricaded area will be denied access to his/her property upon request.
24. That the application of Mr. James Pearson, on behalf of the Miles Court Neighbourhood Association, to temporarily close Miles Court, from #36 Miles Court to its southerly end on Saturday, September 7, 1985 between the hours of 3:00 p.m. and 11:00 p.m. be approved, subject to the following conditions:
- (a) That barricading, signing and traffic control are subject to the supervision and direction of the Regional Police Department and at the expense of the organizing group;
  - (b) That clean-up of the street will be carried out immediately following the event, at the expense of the organizing group;
  - (c) That the organizing group shall provide public liability insurance in the amount of \$1 000 000 naming the City of Hamilton as an added insured party with a provision for cross liability, and saving the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That no property owner within the barricaded area will be denied access to his/her property, upon request.
25. (a) That the Commissioner of Transportation be authorized and directed to issue the necessary requisition to the Public Works Department for the improvement to the Mount Albion Road crossing of the T.H.& B., and
- (b) That the cost of this work, estimated at \$11 000 be financed from the 1984 Reconstruction Program, Margaret Street Reconstruction Account No. 0408-F4175.
26. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale of Beta Street from Burlington Street to the C.N. Right-of-Way pursuant to Sections 298 (1) (c) and 316 of the Municipal Act R.S.O. 1980;
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980 of City Council's intention to pass the By-law;
  - (c) That Beta Street be sold to O'Sullivan Automotive Limited at the price set forth in an offer dated June 18, 1985 (namely \$26 629) as approved by Council on July 30, 1985, no later than December 20, 1985;
  - (d) That the Regional Surveyor be authorized to prepare an appropriate reference plan to accompany the By-law;



- (e) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;
- (f) That it is the purchaser's responsibility to terminate and deal with the water and sewer pipes and all other utilities and services running through, in or under the part of Beta Street being closed and that it is the purchaser's responsibility to arrange, at his expense, for water and sewer services and all other utilities and services in respect of that part of Beta Street being closed;
- (g) That in the event the purchaser wishes to abandon the existing watermain and combined sewer, these services be capped at the City's cost. The purchaser to be allowed a six (6) month period to determine whether these utilities will be absorbed into his development. All costs associated with the ultimate disposition of the aforesaid utilities to be charged to the revenue received from the sale of the lands.

**NOTE:** The City is in receipt of an application from the Real Estate Department to close and sell Beta Street from Burlington Street to the C.N. Right-of-Way and the affected Civic Departments have no objection to this request. The City is the abutting owner on both sides of Beta Street.

- 27. That the subdivision agreement for Glen Eagle Estates be modified to the satisfaction of the City Solicitor to permit the deletion of the requirement for sidewalks on Sunbrite Court.

**NOTE:** A petition has been received by a majority of the owners on Sunbrite Court in Glen Eagle Estates Subdivision to delete the requirement for sidewalks on this street and Council, on July 30, 1985, relaxed the requirements from requiring sidewalks on both sides of all streets within subdivisions.

- 28. (a) That the Commissioner of Engineering be authorized and directed to issue the necessary requisition to reconstruct the four brick pillars on the road allowance at the intersection of Main Street and Barnesdale Boulevard;
- (b) That the Finance Committee be requested to recommend the method of financing the additional amount of \$1 300 over the original estimate of \$4 000.
- 29. (a) That with respect to the proposed solutions to the problem of contaminated sediment at the bottom of the Windermere Basin, as outlined by the Windermere Basin Technical Advisory Committee in a report dated April 15, 1985, the alternative of channelization, fill, stabilization and maximum water surface, be endorsed; and
- (b) That a recommendation respecting the solution of the contaminated sediment problem in the Windermere Basin, be brought before the Transport and Environment Committee, by representatives of the Technical Advisory Committee, within three months.

- 30. That leave be granted to introduce the following bills:

- (a) A-38 By-law Respecting Collectible Waste

- (b) A-39 By-law to Amend Streets By-law No. 9329 Respecting Agreements for the Placing of Print Media Vending or Distribution Boxes
- (c) A-40 By-law to Widen Templemead Drive
- (d) A-41 By-law to Amend By-law 66-100 to Regulate Traffic
- (e) A-42 By-law to Amend By-law 66-100 to Regulate Traffic.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

R. C. Prowse, Secretary

1985 August 19







## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTEENTH** Report for 1985 and respectfully recommends:

1. Approval of the purchase of eight (8) Vespacars from Brooks Truck Salvage, 77 Rennie Avenue, Hamilton, at a cost of \$2,000 per unit for a total of \$16,000 plus taxes.

Sufficient funds are available in account no.'s 0364-2931, 0364-2631, 0364-1623 and 0364-1675 to provide for this acquisition.

2. Approval of a sale of 90 feet of iron rod pickett fencing to the Royal Connaught Hotel, Hamilton, Ontario at a price of \$18.00 per linear foot.

Funds derived from the sale of this fencing to be credited through account no. 0364-41 (Gore Park).

**NOTE:** This fencing was removed from the section of Gore Park directly in front of the Royal Connaught Hotel, because of it being a traffic hazard.

It's use by the Royal Connaught Hotel for their sidewalk cafe is appropriate in that it blends with the remainder of the fence located in the park.

**Respectfully submitted,**

**Alderman B. Hinkley, Chairman  
Parks and Recreation Committee**

J. J. Schatz  
Secretary  
1985 August 1



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIFTEENTH** Report for 1985 and respectfully recommends:

1. (a) That the City's contribution of \$100,000 towards the total cost of reconstruction of the McMaster University Track and Field Facilities, as approved in the 1985 Capital Budget, be approved for payment upon completion of the project and receipt of an audited statement of expenditures.
- (b) That this contribution be made on the understanding that these facilities and equipment will be available for community use, and that a report on the extent and type of uses be submitted to this Department in the fall of each year.
2. (a) That the draft principles, goals and objectives as proposed by the Culture and Recreation Master Plan Consultant and amended by staff, outlined in Schedule A, be approved in principle, and forwarded to various committees, staff and public for comments and review before being presented for final approval in the fall of 1985.
- (b) That an annual review process be established to evaluate the Department's programs and services relative to the approved goals and objectives, such a review to include a one-day public workshop, an annual publication inviting comments, and an on-going review by the Leisure Services Advisory Committee.
3. (a) That the Chairman or his designate and a member of the City Architect's staff attend the Waterfront Seminar at a cost not to exceed \$2,200.00.
- (b) That the Chairman or his designate be authorized to invite the Urban Waterfront organization to hold a future conference in Hamilton

**NOTE:** Sufficient funds are available in Account 0408-G4626-8 to cover the costs of the above seminar.

4. That a second information stand be installed at a cost not to exceed one thousand dollars (\$1,000), in Block 1 of Gore Park in the location previously recommended by the City's consultant, Moorhead Fleming Corban McCarthy.

**NOTE:** There are sufficient funds remaining within Phase 1 to supply and install the stand and the Planning and Development Committee is being requested to authorize the allocation of the requisite monies.

5. That the Parks and Recreation Committee review, with officials of Bell Canada, the appearance of the telephone booths currently installed in Gore Park along with other possible alternatives.

6. Approval of the awarding of the following contracts:

(a) Q-TECH MODELS, Hamilton

Supply and delivery of Hamilton Waterfront Model -  
1:500A in accordance with Request for Quotation  
and Vendor's Quotation dated 1985 July 23  
for a total sum of ..... \$12,700.00

**NOTE:** Lowest of 4 proposals.  
Funding provided in Account 0408-G4626-4.

(b) PARIS PLAYGROUND EQUIPMENT LTD., Paris, Ontario

Supply & installation of Creative Playstructure  
in Parkdale Park, in accordance with specifications  
issued by the Director of Purchasing and Vendor's  
Tender for the total sum of ..... \$11,870.47

**NOTE:** Lowest acceptable tender.  
Funds provided in Account 0364-9823.

(c) RESSCO PLAYSTAR RECREATION PRODUCTS, Mississauga, Ontario

Supply & installation of Creative Playstructure  
in Mahony Park, in accordance with specifications  
issued by the Director of Purchasing and Vendor's  
Tender for the total sum of ..... \$12,000.00

**NOTE:** Lowest acceptable tender.  
Funds provided in Account 0364-9823.

(d) CHILDREN'S PLAYGROUNDS INC., Unionville, Ontario

Supply & installation of Creative Playstructure  
at Parkdale School, in accordance with specifications  
issued by the Director of Purchasing and Vendor's  
Tender for the total sum of ..... \$11,985.00

**NOTE:** Lowest acceptable tender.  
Funds provided in Account 0364-9823.

(e) G. C. DUKE EQUIPMENT LTD., Burlington, Ontario

Supply and delivery of One (1) Cushman Model 53285  
Truckster Complete in accordance with specifications  
issued by the Director of Purchasing and Vendor's  
Tender for the total sum of ..... \$19,035.30

All Charges included.

**NOTE:** Lower of 2 tenders.  
Funds provided in Accounts 0364-0575, 0364-7575, 0350-7375.



(f) **T. A. GOWLING CONSTRUCTION (1978) LTD., Hamilton, Ontario**

To furnish all material, labour, service and equipment necessary for the Utility Building, Woodland Cemetery, in accordance with specifications issued by the Director of Purchasing and Vendor's

Tender for the total sum of ..... \$145,000.00

All charges included.

**NOTE:** Only tender received.  
Funds provided in Account 0408-V42745.  
Bid Bond and Agreement to Bond were not received but are available.

7. That the membership of the Hamilton Historical Board be increased from six citizen members to nine citizen members.

**NOTE:** Three Council members also to serve on the Board.

8. That the terms of final settlement for payment to the City with respect to the Skate Sharpening Concession held by Mountain Sports, now in receivership, be as follows:

Payment of Taxes ..... \$463.58  
Concession Fees (1/2 of annual fee) ..... \$675.50

9. (a) That permission be granted to The Hamilton Dog Obedience Club Inc. to utilize a designated area in each of the following parks in conjunction with their 10 kilometer walk through Hamilton:

H.A.A.A. Grounds  
Dundurn Park

- (b) That such permission be granted on the understanding that all dogs will be on leashes, and that the parks will be cleaned by the owners at the time of their use, and immediately following by volunteer cubs and scouts.
10. That the Revised Parks Expenditure Policies dated 1985 July be adopted by City Council.
11. That authorization be given to the Ministry of Citizenship and Culture, in conjunction with the Hamilton-Wentworth Regional Planning Department to conduct an Archaeological Survey of undeveloped parkland in the mountain area.
12. That a special meeting of the Parks and Recreation Committee be called prior to the next regularly scheduled Council meeting of 1985 September 10 for the purpose of approving and recommending to City Council, the selected contractor for the landscape and site development of the Region of Hamilton-Wentworth, Waterworks Pipeline Property Project.

**NOTE:** This special meeting to be called in order that development commence on the earliest possible date.

13. (a) That an Offer to Purchase the lands of The Corporation of the City of Hamilton, duly executed on 1985 July 24 by the Purchaser, Dofasco Inc. and scheduled for closing on 1985 October 30 be approved and completed.
- (b) That the City Solicitor be authorized to take whatever action is necessary if required by the Purchaser to remove the condition in the 1911 deed to the City (15233) whereby the City of Hamilton must retain the said lands for park purposes only.
- (c) That the funds received for the sale of these lands be deposited in the Parks Account.

**NOTE:** The property is composed of a parcel of land and located on the southern limit of Beach Road, having a frontage of 211 feet (more or less) by a depth of 30 feet (more or less) on the eastern limit of Holly Avenue and 102 feet (more or less) on the western limit of Benson Avenue and containing an area of 13,373 square feet (more or less) and more particularly described as Lots 418 to 424 on Hamilton Park Survey Plan 505.

The purchase price is \$70,000.00. A deposit cheque in the amount of \$7,000.00 is being held by the City Treasurer pending Council approval.

14. (a) That approval be given to lease the City owned lands south of 120 Hillyard Avenue containing 3884.45 square feet (360.8m ) to Gerard and Eileen Kinsella, at an annual rental of \$100 plus taxes, to commence the first of the month following Council approval.
- (b) That the City Solicitor be directed to prepare the necessary documents and finalize this lease.

**NOTE:** These escarpment lands are to be used for parking and landscaping purposes only.

15. (a) That the leasing of 155 Belview Avenue to Kenneth and Moria Stowe at a one time rental charge of \$150 for the period 1985 July 29 to 1985 August 31 and commencing 1985 September 1, the monthly rental of \$350 including realty taxes be approved.

- (b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

16. That an Option to Purchase the property at 48 Holly Avenue executed by the owners Edward and Jennie Shynal on 1985 July 10 and scheduled for closing on or before 1985 October 2, be completed.

**NOTE:** This property which is required in connection with the development of McAnulty Neighbourhood Priority Park One has a frontage of approximately 15.24 metres (50 feet) by a depth of about 29.26 metres (96 feet) with structures thereon. The purchase price of \$33,000.00 is to be charged to Account No. 0408-C06036 in which sufficient funds are available to provide for this closing.

17. (a) That the firm of George Sinclair Construction Inc. be granted permission for the sum of \$1.00 to install a 9' X 10' subdivision advertisement sign on City owned land on the southeast corner of Lake Avenue and Barton Street East.
- (b) That approval of the Authority to Enter is subject to George Sinclair Construction Inc. assuming all risks, costs and indemnify and save harmless the City against and from any and all actions, course of action, interest claims, demands, costs, expenses and loss, all claims for bodily injury or property damage arising from or out of the use by George Sinclair Construction Inc. of the premises, or arising from the conduct of any work or by or through any act or omission of George Sinclair Construction Inc. or any assignee, invitee or license of George Sinclair Construction Inc. and against and from all costs, counsel fees, expenses and liabilities incurred in or about any such claim or any action or proceeding brought thereon.

**NOTE:** This Authority to Enter will be for a period of one year from the date of City Council approval and the sign will be removed from this firm after the one year has terminated.

18. (a) That approval be given to the leasing of City owned land at the rear of municipal numbers 156 and 186 Bow Valley Drive for the sum of \$1.00 each, plus taxes to the owners listed below for landscaping purposes only; said lease is to commence on the first of the month following City Council approval.
- (b) That the Mayor and City Clerk be authorized to execute the subject leases.

<u>Address</u>	<u>Owner</u>	<u>Size of Land To Be Leased</u>
156 Bow Valley Dr.	James & Shirley Andreatta	50' X 40'
186 Bow Valley Dr.	Domiano & Rosina Tassone	43' X 40'

19. (a) That the Director of Parks be directed to determine the costs of developing a 6 acre Park area in the Eleanor Neighbourhood with suitable playlot equipment; and the method of including this development in the 1986 current budget,
- (b) That a Neighbourhood Committee be established to work with the appropriate staff on the development of an Eleanor Neighbourhood Park,
- (c) That the Director of Parks be directed to analyse the proposed development of parkland in the south mountain area with a view to escalating the waiting period for these facilities and further;
- (d) That consideration and notation be made of the length of waiting time for these facilities by subdivision residents.



20. That the City Solicitor be directed to review the City's fencing policy with a view to amending the policy to ensure the enforceability of requiring the property owners in the proposed subdivision of Strawberry Hills to erect a fence on their own property at the owner's full cost next to abutting City lands.

**Respectfully submitted,**

**Alderman B. Hinkley, Chairman  
Parks and Recreation Committee**

Susan K. Reeder  
Acting Secretary  
1985 August 22



# Recommendations to Parks and Recreation Committee

SCHEDULE "A"

## PROPOSED PRINCIPLES, SHORT AND LONG TERM GOALS

### DEPARTMENT OF CULTURE AND RECREATION

#### PRINCIPLES

The Departmental goals should reflect the following principles:

- assist groups to become self-sufficient
- ensure consistency in recruiting, training and working with volunteers,
- emphasize co-ordination and community development

#### SHORT TERM GOALS (5 year period)

- (a) to improve the quality of life in the City of Hamilton through the provision of cultural and recreational services,
- (b) to assist community agencies and organizations in the provision of cultural and recreational services,
- (c) to plan for service delivery in a comprehensive and continual manner based upon community participation and input
- (d) to promote culture and recreation, and cultural and recreational resources in the City of Hamilton,
- (e) to provide for the individual's right to access to all municipal cultural and recreational facilities and services, and to advocate access to other cultural and recreational facilities and services in the City,
- (f) to co-ordinate the effective and efficient utilization of existing cultural and recreational resources in the City,
- (g) to develop and support the role of volunteers in the cultural and recreational service delivery system and further;
- (h) to establish a process to identify and facilitate innovative, non-traditional and current trend programs
- (i) to establish a process to evaluate and update short term goals on an ongoing basis

#### LONG TERM GOALS

1. To improve the quality of life in the City of Hamilton through the provision of culture and recreation services for all ages and interests.
2. To ensure community input and participation in the delivery of culture and recreation services
3. To ensure current programs are relevant and new needs and interests are being met
4. To establish a network of support services to ensure the delivery of culture and recreation through community agencies and organizations is relevant
5. To protect the individual's right of access to culture and recreation facilities and services.
6. To ensure improved communication, promotion and marketing of culture and recreation services.
7. To ensure high standards of professional and avocational leadership in culture and recreation programs and services.









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTY-FOURTH Report for 1985 and respectfully recommends:

1. (A) That approval be given to close Application SA 85-07, Stone Church Holdings Limited, owner;
- (B) That approval be given to Application SA 85-04, Stone Church Holdings Limited, owner, to establish a draft plan of subdivision on the west side of Upper Wentworth Street and south of the proposed Mountain Freeway, subject to the following conditions:
  1. That this approval apply to the plan prepared by A. J. Clarke & Associates, dated 1985 March 22 revised to show 40 lots, 2 blocks for development in conjunction with adjacent lands to the north and to the west, 3 blocks for 0.3 m reserves and 1 block for a road widening.
  2. That the road allowances and widening for Upper Wentworth Street be dedicated as public highways on the final plan.
  3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  4. That the proposed subdivision conform with the Zoning By-law approved under the Planning Act.
  5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
  8. That the dead-ends and open side of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton, and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  9. That Block 41 and 46 be developed only in conjunction with abutting lands.

10. That the owner acquire lands to establish Sirente Court and Sirente Drive, for the full width.
  11. That no final approval be given to this plan prior to the registration of "Aquila Place" (Regional File No. 25T-79002).
  12. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
  13. That the owner satisfy the requirements of the Ministry of the Environment in regard to possible excessive noise.
  14. That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to the application (SA 85-04), Stone Church Holdings Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.
- (C) That approval be given to Zoning Application 85-22 and 85-42, Stone Church Holdings Limited, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential) District and "R-4" (Small Lot Single-Family Detached) District, for lands on the west side of Upper Wentworth Street in the area south of the proposed Mountain Freeway, as shown on the attached plan marked as APPENDIX "A", on the following basis:
- i) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential) District;
  - ii) That the lands shown as Block "2" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - iii) That the lands shown as Block "3" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - iv) That the "R-4" (Small Lot Single-Family Detached) District regulations as contained in Section 9A of Zoning By-law No. 6593 applicable to the lands shown as Block "3" be modified to include the following variance as a special requirement:
    - a) Notwithstanding Section 9A. (1) (a) of By-law No. 6593 a townhouse dwelling subject to the "RT-10" District provisions of Section 10D shall be permitted.
  - v) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-926, and that the subject lands on Zoning District Map E-18B be notated S-926;

- vi) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-18B.
- vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- viii) That the Crerar Neighbourhood Plan be amended by redesignating the "Medium Density Apartment" lands to "attached housing", residential use.

**Explanatory Note:** The purpose of the by-law is to provide for changes in Zoning for lands located in the area west of Upper Wentworth Street and south of the proposed Mountain Freeway, as shown on the attached plan marked as APPENDIX "A" on the following basis:

- Block "1" - Change from "AA" (Agricultural) District to "C" (Urban Protected Residential) District;
- Block "2" - Change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.
- Block "3" - Change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, modified.

The effect of the by-law is to permit single-family development on Block "1", "small lot" single-family development on Block "2" and "small lot" single-family development or townhouse development on Block "3".

2. (A) That approval be given to Zoning Application ZA 85-48 by Robert Shelley Construction Ltd., owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District and "RT-10" (Townhouse) District for property on the west side of Upper Paradise Road, in the area north of Megna Drive as shown on the attached plan marked as APPENDIX "B", on the following basis:
  - i) That the lands shown as BLOCK "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - ii) That the land shown as BLOCK "2" be rezoned from "AA" (Agricultural) District to "RT-10" (Townhouse) District;
  - iii) That the City Solicitor be directed to amend Zoning By-law No. 6593 and Zoning District Maps W37B and W37C;
  - iv) That the Burnett Neighbourhood Plan be amended by changing the designation for BLOCK "1" from "Low Density Apartments" to "Single and Double Residential", and for the easterly portion of BLOCK "2" from "Low Density Apartments" to "Attached Housing".
  - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



(B) That approval of the subject by-law be withheld until such time as the owner of the subject lands deeds to the City of Hamilton the lands required for the future extension of Guildwood Drive.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning for property located on the west side of Upper Paradise Road in the area north of Megna Drive as shown on the attached map marked as APPENDIX "B" on the following basis:

BLOCK "1"	From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
BLOCK "2"	From "AA" (Agricultural) District to "RT-10" (Townhouse) District.

The effect of the by-law is to permit a single-family dwelling on on BLOCK "1" and townhouses on BLOCK "2".

3. That approval be given to Zoning Application ZA 85-49, DKL Securities, prospective owner, for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit an office for property located at No. 65 Walnut Street, as shown on the attached plan marked as APPENDIX "C" on the following basis:

- i) That the subject property be rezoned from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District;
- ii) That the "Parking and Loading Requirements" as contained in Section 18A of Zoning By-law 6593 be modified to include the following variance as a special requirement:
  - a) That notwithstanding TABLE 1 of Section 18(A)(1) no parking shall be required for the existing apartment unit.
- iii) That the amending by-law be added to Section 19B of Zoning By-law 6593 as Schedule S-927, and that the subject land on Zoning District Map E5 be notated S-927;
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E5;
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District.

The effect of the by-law is to permit office use on the first floor and an apartment unit on the second floor, within the existing building.



The by-law also permits the following uses: opticians' offices, optometrists' establishments, a photographer's or artist's studio, a barber shop or hairdressing establishment, a millinery shop and a wearing apparel workshop.

In addition the by-law deletes the requirement for one parking space for the existing apartment unit.

4. That approval be given to Zoning Application ZA 85-53, Econo Custom Homes, prospective owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, for property located at the rear of No. 725 Limeridge Road East, as shown on the attached map marked as APPENDIX "D", on the following basis:

- i) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
- ii) That the "R-4" (Small Lot Single-Family Detached) District regulations as contained in Section 9A of Zoning By-law No. 6593 be modified to include the following variance as a special requirement:
  - a) That notwithstanding the provisions of Section 9A (2) (c) of By-law No. 6593, the following special provisions shall apply to the subject lands:

**Intensity of Use Requirements:**

- 1. Subject to paragraph 2, every lot or tract of land within the "R-4" District for a single-family dwelling shall have an average lot width of not less than 10.0 metres and an average lot area of not less than 306.0 square metres.
- 2. No lot or tract of land within the "R-4" District for a single-family dwelling shall have a lot width of less than 9.0 metres or a lot area of less than 278.0 square metres.
- 3. In paragraph 2,
  - i) "average lot area" shall mean the numerical result obtained by dividing the sum of individual single-family lot areas by the total number of single-family lots zoned "R-4";
  - ii) "average lot width" shall mean the numerical result obtained by dividing the sum of individual single-family lot widths by the total number of single-family lots zoned "R-4";

- iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-928, and that the subject lands on Zoning District Map E-38A be notated S-928;
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-38A;
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, for property located at the rear of No. 725 Limeridge Road East, as shown on the attached map marked as APPENDIX "D".

The effect of the by-law is to permit the division of the subject property into two small lot single-family detached dwelling lots fronting onto Lawnhurst Drive.

In addition, the by-law provides for a modification to the provisions of Section 9A (2) (c) of the "R-4" District to recognize the creation of the lots by land severances through the Regional Land Division Committee.

5. That approval be given to amended Zoning Application ZA 85-52, Corporation 300 Fennell Avenue East (Hamilton) owner, for a modification to the established "G-3" (Public Parking Lots) for lands at the rear of No. 300 Fennell Avenue East as shown on the attached plan marked as APPENDIX "E" on the following basis:
  - i) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
    - a) That notwithstanding Section 13C(1) a vocational training school as an accessory use to a union office/hall shall be permitted in the building existing on the date of the passing of the amending by-law.
  - ii) That the "Parking and Loading Requirements" as contained in Section 18A of By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
    - a) That notwithstanding TABLE 1 of Section 18A no parking shall be required for a vocational school as an accessory public use to a union office/hall in the existing building.
  - iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-929, and that the subject lands on Zoning District Maps E-16 and E-17 be notated S-929;
  - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-16 and E-17;

- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide a modification to the established "G-3" (Public Parking Lots) District for lands at the rear of No. 300 Fennell Avenue East.

The effect of the by-law is to permit the rear 20 feet of the existing building (approximately 1,920 sq. ft.) to be used for a vocational training school in conjunction with the union office/hall and banquet centre established in the front portion of the building.

In addition, the by-law will exempt the proposed accessory vocational school from providing on-site parking.

6. That approval be given to Zoning Application ZA 85-56, 603990 Ontario Limited, owner, to establish a modification to the "E-3" (High Density Multiple Dwellings) District regulations applicable to property located at No. 168 Jackson Street West, as shown on the attached plan marked as APPENDIX "F", on the following basis:

- i) That the "E-3" (High Multiple Dwellings) District regulations as contained in Section 11C of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special provision:
  - a) That notwithstanding Section 11C (1) offices shall be permitted in the existing building.
- ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-930, and that the subject lands on Zoning District Map W5 be notated S-930.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 an Zoning District Map W5.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- v) That the Durand Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" to "Commercial".

**Explanatory Note:** The purpose of the by-law is to provide for a modification to the established "E-3" (High Density Multiple Dwellings) District for property located at No. 168 Jackson Street West, as shown on the attached plan. The effect of the by-law is to permit offices for an investment consulting firm in the existing building.

7. That approval be given to Zoning Application ZA 85-57 Stelco Employees' (Primary Works) Credit Union Limited, owner, to establish a modification to the "G" (Neighbourhood Shopping Centre) District regulations applicable to property located at the south-west corner of Upper Sherman Avenue and Queensdale Avenue East, as shown on the attached map marked as APPENDIX "G" on the following basis:



- i) That the "G" (Neighbourhood Shopping Centre) District regulations as contained in Section 13 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance and restriction:
  - a) That notwithstanding the provisions of Section 13(1) of By-law No. 6593, the wholesaling and servicing of hearing aids and hearing aid accessories shall be permitted within the existing building.
- ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-931, and that the subject land on Zoning District Map E-25 be notated S-931.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-25.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide a modification to the established "G" (Neighbourhood Shopping Centre) District regulations for property located at the south-west corner of Upper Sherman Avenue and Queensdale Avenue East, as shown on the attached map marked as APPENDIX "G".

The effect of the by-law is to permit in addition to the existing banking and offices uses, the wholesaling and servicing of hearing aids and hearing aid accessories, in addition to the permitted retail sale of hearing aids.

- 8. That approval be given to Zoning Application ZA 85-51, 570896 Ontario Limited, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District, for property located at the rear of No. 1563 Main Street West, as shown on the attached plan marked as APPENDIX "H" on the following basis:
  - i) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District;
  - ii) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593, be modified to include the following variance as a special requirement:
    - a) That a landscaped strip having a width of not less than 1.5 metres shall be provided along the easterly side lot line which abuts a residential district.
  - iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-583a, and that the subject lands on Zoning District Map W-46 be notated S-583a;
  - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-46;



- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- vi) That the Ainslie Wood Neighbourhood Plan be amended by redesignating the subject lands from "Industrial" to a "Commercial" land use designation.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning of lands from "C" (Urban Protected Residential, etc.) District to "G-3 (Public Parking Lots) District.

The effect of the by-law is to permit property located at the rear of the commercially zoned property located at No. 1563 Main Street West, to be used for additional parking for a restaurant use.

In addition, the by-law requires that a 1.5 metre (4.92 ft.) wide landscaped strip be provided along the easterly side lot line of the parking lot which abuts a residential district.

9. That approval be given to an amended Zoning Application 85-50, by Sam Henson Apartments Ltd., owner, for a modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions applicable to the property located at Nos. 252, 262 and 268 James Street South as shown on the attached plan marked as APPENDIX "I", on the following basis:

- i) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
  - a) That notwithstanding Section 11A(1) of Zoning By-law No. 6593, medical offices, general offices, multiple family dwelling units, or any combination thereof, shall be permitted in the existing buildings and in building additions not to exceed a maximum gross floor area of 1,400 m<sup>2</sup>;
  - b) That medical offices shall only be permitted in the first and second storey of each existing building, and the first storey of any addition;
  - c) That any basement or cellar shall be used for storage only.
  - d) That notwithstanding Section 11A(2) of Zoning By-law No. 6593, no building or structure shall exceed 3 storeys or 16.76 m in height; and,
  - e) That no direct vehicular access be permitted onto James Street South from the subject lands, and that no parking be permitted in the yard adjacent to James Street South.
- ii) That Section 18A "Parking and Loading" Regulations of Zoning By-law No. 6593 applicable to the subject property be modified to include the following variances as special requirements:

- a) That notwithstanding Clause (g) of Subsection 1 and Clauses (a) and (c) of Subsection 4 of Table 1 of Section 18A of Zoning By-law No. 6593, a minimum of 31 parking spaces shall be provided on the site;
  - b) That notwithstanding Table 3 and Table 5 of Section 18A of Zoning By-law No. 6593, only one loading space having a minimum length of 9.0 m, a minimum width of 3.7 and a minimum height of 4.3 m shall be required;
  - c) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, not more than 5 parking spaces shall be permitted to have dimensions not less than 2.85 metres wide and 5.0 metres long; and,
  - d) That Sections 18A(11), 18A(12)(a), 18A(12)(b) and 18A (26) shall not apply.
- iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-932, and that the subject lands on Zoning District Map W6 be notated S-932;
  - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W6;
  - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide for a modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property located at at Nos. 252, 262 and 268 James Street South as shown on the attached key plan.

The effect of the by-law is to permit the conversion of the existing buildings into medical and/or general offices in addition to the already permitted residential units. Further, buildings additions of not more than 1,400 m<sup>2</sup> shall be permitted. The medical offices shall only be permitted in the first and second storeys of the existing buildings and in the first storey of any addition. The basements or cellars shall be used for storage only.

In addition the by-law provides for the following variances:

- o no direct access will be permitted from the subject land to James Street South and no parking will be permitted in the yard adjacent to James Street South;
- o a maximum height of 3 storeys or 16.76 m is permitted instead of the allowable 8 storeys or 26.0 m in height;
- o a minimum of 31 parking spaces are to be provided whereas up to 97 parking spaces are required;
- o 5 of the 31 parking spaces may be not less than 2.85 m wide and 5.0 metres long instead of the required 2.7 m in width and 6.0 m in length;

- o a minimum 1.5 m wide landscaped area shall not be required between the subject property and the adjacent residential district;
  - o parking can be located up to the street line for the portion of land within 3.0 m of the residential district;
  - o only one loading space will be required; and,
  - o no separation is required between the access driveway and the adjacent residential district whereas a minimum 3.0 m separation is normally required.
10. That the following responses be sent to the Hamilton Region Conservation Authority's (HRCA) resolution on Hamilton Beach, dated 1984 December 06:

#### HRCA Resolution 1 and 2

That Authority holdings be consolidated within certain sections of the Beach Strip as per the 'red shaded areas' on a plan dated August 1984 and herein referred to as 'Designated Areas'. That a high priority be given to the acquisition of properties within the 'Designated Areas'.

#### City Response

The City has no objection to the designated areas being used as a guide for acquisition as a short term measure. However, acquisitions should be limited to hardship cases only.

#### HRCA Resolution 3

That the City of Hamilton not object to the demolition of acquired residences within the 'Designated Areas' unless the building is of historical or architectural significance as defined by the Hamilton LACAC.

#### City Response

The City cannot support this condition at the present time. Demolition should be determined on the individual merits of the buildings including the historical and architectural significance as defined by the Hamilton LACAC as well as the condition of the buildings. A review of the agreement regarding demolition of residences should be conducted by the Real Estate Department, Building Department, Planning and Development Department and the HRCA.

#### HRCA Resolution 4

That acquisitions outside the 'Designated Areas' be limited to hardship cases and only if assurances are obtained from the City prior to the acquisition that a demolition permit will be granted.



### City Response

As stated previously, the City feels that acquisition should be limited to hardship cases only both inside and outside the designated areas and also that demolition should be determined on the individual merits of the buildings.

### HRCA Resolution 5

That the City of Hamilton and the Conservation Authority engage a consultant to undertake the preparation of an overall Beach Strip recreation/open space concept plan in order to determine a long term development strategy for the entire Beach Strip and that the selected concept be consistent with the main project objectives, i.e. to resolve water management problems and to develop the Beach Strip for recreation and related uses and that upon approval of the overall concept plan by the City of Hamilton and the Conservation Authority, the consultant prepare more detailed development plans for the 'Designated Areas' in order to allow limited recreational developments of the designated areas once public ownership has been secured.

### City Response

The City welcomes the review of Hamilton Beach policies and supports the preparation of a concept plan. However, the concept plan process should contain a feasibility study for Hamilton Beach as a mixed use area containing open space, residential, commercial and related uses. The concept plan should address the disposition of future studies such as detailed recreational development plans and possibly a neighbourhood plan for residential areas. The City supports the plan being carried out by a consultant. The City proposes that a Steering Committee be set up composed of City Council members, including the Ward Aldermen, HRCA members and community representatives both from the Beach Strip and the community at large to initiate and oversee the study. The City supports the Beach project's objectives to resolve water management problems, but depending on the outcome of the concept plan cannot at this time support the project's objective for the Beach to be used exclusively for recreation and related uses.

### HRCA Resolution 6

That adequate funding be set aside by the City of Hamilton and the HRCA in their respective 1985 budgets to undertake the aforementioned study on a 50-50 cost sharing basis and that staff be authorized to apply, on behalf of the City and Authority for any study grants applicable to this type of project.

### City Response

The City supports this resolution with the modification that budgets be applied for 1985 and 1986.

### HRCA Resolution 7

That the City be urged to upgrade its maintenance program on already acquired properties either within or outside the designated area.



### City Response

That the City will upgrade its property maintenance program where possible within its budget constraints.

11. That approval be given to **City Initiative 85-L** to amend By-law No. 79-275 as amended by By-law No. 82-220 by deleting Section 50 of APPENDIX "B".

**Explanatory Note:** The purpose of the By-law is to amend By-law No. 79-275 as amended by By-law No. 82-220 by deleting subsection 50 of APPENDIX "B".

The effect of the By-law is to remove the requirement for Site Plan Control on lands located on the east side of Upper Wentworth Street in the area north of Stone Church Road, as shown on the attached map marked as APPENDIX "J".

The subject lands are to be developed in accordance with an approved draft plan of subdivision (Aspen Estates Phase Three) for small lot single-family detached dwellings which are not usually subject to Site Plan Control.

12. (A) That approval be given to Application SA 79-03, **John A. Parente and M. Pestana-Roca, owners**, to establish a draft plan of subdivision located on the west side of Upper Paradise Road north of Stone Church Road, subject to the following conditions:
1. That this approval apply to the plan prepared by A. T. McLaren Limited, dated 1985 February 28, showing 30 lots and two blocks for street widening.
  2. That the owner acquire sufficient land to establish the north-south street at the westerly limit of the plan to the full required width.
  3. That the road allowances and widening for Upper Paradise Road be dedicated as public highways on the final plan.
  4. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  5. That the final plan conform with the zoning by-law approved under The Planning Act.
  6. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.

9. That the dead-ends and open side of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  10. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (B) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA 79-03), John A. Parente and M. Pestana-Roca, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (C) That the Gurnett Neighbourhood Plan be amended from the "attached housing" designation to "single and double" designation upon Registration of the Plan.
13. That the Region be requested to grant a one year extension to the draft approvals for "Mike Yaksich" Subdivision (Regional File No. 25T-78002), Rymal Industrial Estates No. 1 Subdivision (Regional File No. 25T-78017), Templemead No. 2 Subdivision (Regional File No. 25T-80007), Battleridge Subdivision (Regional File No. 25T-76024) and Caroga Manor Condominium (Regional File No. 25CDM-80005).
  14. That By-law 84-252 respecting the conveyance of Land for Park Purposes be amended by deleting the words "or the size of the useability of the building or structure" from paragraph c) ii) of Section 1 in order to clarify the intent of the By-law.
  15. That Item 9(B) of the Eighteenth Report of the Planning and Development Committee approved by City Council on 1985 June 25 be amended as follows:
 

That the Riverdale East Neighbourhood Plan be changed in accordance with Map 1, attached hereto as APPENDIX "K" to indicate:

    - . the walkway to remain as a natural pathway; and
    - . the walkway within the Strawberry Hill area to have a 20 foot right-of-way.

**Explanatory Note:** The residents feel that a resolution by City Council would assure them that the walkway will remain as a natural pathway.
  16. (A) That the Region of Halton Draft Terms of Reference for the Burlington Beach Strip Master Plan appear to be compatible with Hamilton's planning objectives.

- (B) That a liason committee comprising of planning staff from the City of Hamilton, Hamilton-Wentworth and Halton Regions and the respective Conservation Authorities be established to share and exchange related information.
- (C) That the City Clerk be directed to forward the City Council resolution and a copy of the technical report to the Regional Municipalities of Halton and Hamilton-Wentworth.

**Explanatory Note:** The Region of Halton requested the City of Hamilton Council to review and comment on the Draft Terms of Reference for the Burlington Beach Strip Master Plan.

17. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee.

- a) 73 Beach Boulevard
- b) 258 Beach Boulevard
- c) 201 Ferguson Avenue South
- d) 1259 Upper Gage Avenue
- e) 890 Barton Street East
- f) 51 Barton Street East
- g) 261 John Street North
- h) 263 John Street North
- i) 173 Niagara Street

18. That an Offer to Purchase the lands of the Corporation of the City of Hamilton known as Lot 1, Plan M-352, Hamilton Industrial Park No. 3, duly executed on 1985 August 06 by the Purchaser, Hamilton and District Home Builders Association and scheduled for closing on 1985 November 05 be completed.

The property is composed of a parcel of land located on the south side of Rymal Road East having a frontage of 31.808 m (104.35 feet) by a depth of 91.44 m/79.24 m (300 feet/260 feet) and containing an area of 3,949 m<sup>2</sup> (.9758 acres) and more particularly described as Lot 1, Plan M-352.

The purchase price is \$48,790.00. A deposit cheque in the amount of \$1,000. is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% real estate commission to State Realty Limited whose agent, Mr. Andrew Kosior, acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out on the form attached hereto and marked APPENDIX "L".

In addition, this Offer to Purchase is conditional until closing for completion of the following conditions:

- a) This Offer to Purchase is conditional upon ratification by the general membership of the H.D.H.B.A. until 1985 September 07. Failing which, this Offer to be considered



null and void, and the deposit shall be returned to the Purchaser in full, without interest or penalty.

b) Approval from the City Traffic Department for an entrance for access purposes from Rymal Road.

c) The purchaser obtaining at its own expense, a permit to erect an office building to house the Hamilton and District Home Builders Association.

Failing the satisfaction of these conditions, this offer shall be null and void and the deposit shall be returned to the purchaser without interest or deduction.

d) It is understood and agreed that the Vendor is responsible at its own cost for the installation of all storm, sanitary sewers, water lines, their connections and laterals under the street to the property being purchased.

That the Regional Engineering Department proceed on behalf of the City of Hamilton to install all storm, sanitary sewers, and water line to Lots 1-6, Plan M-352 and the Finance Committee be requested to establish the method of financing the cost of these works.

19. That the closing date for the sale of Parts 1 and 2 on Plan 62R-6932 Keefer Court to 596231 Ontario Limited be extended from 1985 July 26 to 1985 September 26.

20. Than an Option to Purchase the property at 402 Birch Avenue duly executed by Edward Martin in Trust on 1985 July 02 and scheduled for closing on or before 1985 December 03 be completed.

This property required in connection with the acquisition of lands in the Alpha Enclave (Plan 4) has a frontage of 25 feet, more or less by a depth of approximately 93.79 feet with structures erected thereon. The purchase price of \$18,000.00 is to be charged to account 0280-35.

21. That approval be given for the sale of the vacant lots at 101 Ferguson Avenue South to Diton Construction Inc. for the total amount of \$18,000.00. The subject parcel measures 50 feet (15.24 m) more or less, along the easterly limit of Ferguson Avenue South by a depth of 100 feet (30.48 m) more or less, shown outlined in red on Plan 62R-4878. This transaction is scheduled to close on 1895 October 03. The proceeds of this sale are to be credited to account number 0412-E7-1016. A \$1,000. deposit is being held by the City Treasurer pending approval of this transaction.

It is under stood and agreed that the Vendor, upon completion of this transaction, will pay a commission of 5% of the purchase price to Lounsbury Realty Ltd., whose agent, Steve Hill, acted in this matter.



22. That the Offer to Purchase in respect of the sale of property at the north-west corner of Fullerton and Princess to Victoria Park Community Homes Inc. adopted by City Council on 1983 November 29, as Item 12 of the Twenty-Third Report of the Planning and Development Committee be amended as follows:
- a) The purchase price will be reduced to \$3,000 from \$14,000 due to unsuitable soil conditions found after execution of the documents,
  - b) The purchaser agrees to execute any document required to finalize this transaction.
  - c) The City Solicitor be directed to finalize this transaction as soon as possible.
23. (A) That the "Gateway Treatment" concept, prepared by Moorhead Fleming Corban McCarthy, dated July 1985 and attached hereto as APPENDIX "M" be implemented at the five (5) major "gateway" intersections within the Study Area of the Downtown Hamilton Action Plan (i.e., York at Bay, James at York/Wilson, King at Wellington, John at Main and, Main at Bay);
- (B) That pursuant to the preparation of detailed design drawings and specifications, tenders be called for the construction of the "gateways";
- (C) That the City Solicitor be authorized and directed to prepare appropriate Agreements between the City of Hamilton and The Region of Hamilton-Wentworth and The Board of Education for The City of Hamilton where "gateways" are to be developed on the lands of these other public bodies; and,
- (D) That the Mayor and City Clerk be hereby authorized to execute the Agreements to which reference is made in (C) above.
24. (A) That the firm of Moorhead Fleming Corban McCarthy, Landscape Architects, be retained to prepare the design, implementation drawings, specifications, tender forms and, other information necessary for the City of Hamilton to obtain competitive tenders for the Phase III extension of the Downtown Action Plan, in accordance with their (the Architect's) written proposal dated 1985 June 24 - outlining previous experience, inter-face with prior phases and other features, fees and, assigned staff - at a cost, including fees and expenses, not to exceed sixty five thousand, two hundred ten dollars (\$65,210.00); and,
- (B) That the Mayor and City Clerk be hereby authorized to execute an agreement satisfactory to the City Solicitor in respect of the contract awarded as per (A) above.
25. (A) That the Department of Community Development be directed to apply to the Provincial Government's Ministry of Health for a grant of two hundred and fifty thousand dollars (\$250,000.00) for the implementation of a loan programme to rehabilitate Second Level Lodging Homes occupied by former psychiatric patients.

- (B) That the Department of Community Development be authorized to administer the terms and conditions of the loan programme as outlined in the form attached hereto as APPENDIX "N") and to facilitate the processing of the applications through the appropriate Social Agencies which will administer the social requirements for the programme.
26. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.).

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

#### Ontario Home Renewal Programme

(a)	W. Searles	166 Haddon Avenue South
(b)	A. Jankowski	104 Westwood Avenue
(c)	L. Watts	91 Royal Avenue
(d)	A. Lane	284 Bowman Street
(e)	N. Roe	129 Haddon Avenue South
(f)	C. Piper	20 Melvin Avenue

#### Hamilton Rehabilitation Programme

(a)	P. Krija	102 Niagara Street
(b)	I. Ramirez/C. Nemeth	221 Fairleigh Avenue South
(c)	J. Deeley	18 East 24th Street

27. (A) That a painted metal sign be constructed and installed at the Normanhurst Community Centre at a cost not to exceed \$1,200.00 per the attached plan marked as APPENDIX "O".
- (B) That the costs in item (A) above be charged to account #0405-N91015. There are sufficient funds in the above account.
28. (A) That the request of the Westdale Merchants Association to adopt a by-law designating a Business Improvement Area as indicated on Schedule "A" attached hereto as APPENDIX "P" be approved; and,
- (B) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council a by-law pursuant to subsection (1), Section 217, the Municipal Act, R.S.O. 1980, following the appropriate circularization process.



29. (A) That the request of of the Locke Street Business Association (Locke Place) to adopt a by-law designating a Business Improvement Area as generally indicated on Schedule "B" attached hereto as APPENDIX " Q", be approved; and,
- (B) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council a by-law pursuant to Subsection (1), Section 217, The Municipal Act, R.S.O. 1980, following the appropriate circularization procedure.
30. (A) That the request of the Ottawa Street North Business Association to adopt a by-law designating a Business Improvement Area as indicated on Schedule "A" attached hereto as APPENDIX "R" be approved; and,
- (B) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council a by-law pursuant to Subsection (1), Section 217, The Municipal Act, R.S.O. 1980, following the appropriate circularization procedures.
31. (A) That a grant and repayable loan in the amount of five thousand dollars (\$5,000.00) be approved for Mr. W. Beckingham , 69 Bunker Hill Drive, for the adaptation of his home for his son's handicap.
- (B) That subject to approval, the Lien be registered on Title indicating that a forgiveable grant in the amount of two thousand five hundred dollars (\$2,500.00) be earned over a five (5) year period, and the balance of two thousand five hundred dollars (\$2,500.00) be repaid to the Corporation of the City of Hamilton at the time of the sale of the property. The interest rate on the repayable portion will be zero percent.
32. That the account of Yates and Yates, Barristers and Solicitors, dated 1985 1985 May 21 in the amount of \$3,915.58 for preparation of Agreement of Purchase and Sale for Block 101 and for finalization of Listing Agreement with Metropolitan Hamilton Real Estate Board be paid. This amount to be financed from the proceeds of the sale of Block 101.
33. (A) That the Corporation of the City of Hamilton accept the sum of \$64,576.48 cash payment in lieu of 5% dedication in connection with "Paradise Acres - Phase Two", final plan of subdivision.
- Note:** These lands are located East of Upper Paradise Road and South of Stone Church Road West in the Falkirk East Neighbourhood, Hamilton.
- (B) That the Corporation of the City of Hamilton accept the sum of \$25,689.86 as cash payment in lieu of 5% dedication in connection with "Aspen Estates - Phase Three", final plan of subdivision.
- Note:** These lands are located East of Upper Wentworth Street between Stone Church Road East and Southpark Avenue in the Rushdale Neighbourhood, Hamilton.
- (C) That the Corporation of the City of Hamilton accept the sum of \$3,541.04 as cash payment in lieu of 5% dedication in connection with "Ottawa Place - Phase One", final plan of subdivision.

**Note:** These lands are located west of Upper Ottawa Street and north of Rymal Road East in the Templemead Neighbourhood, Hamilton.

- (D) That the Corporation of the City of Hamilton accept the sum of \$5,842.36 as cash payment in lieu of 5% dedication in connection with "Eleanor Gardens - Phase Five Addition", final plan of subdivision.

**Note:** These lands are located west of Upper Gage Avenue and south of Stone Church Road East in the Eleanor Neighbourhood, Hamilton.

34. (A) That City Council give approval to the "Intent to Designate" the properties at Nos. 207, 209 and 211 Caroline Street South as buildings of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have these properties designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of the members of City Council as APPENDIX "S" are the "Reasons for Designation" for these properties as prepared by L.A.C.A.C.

The Committee also wishes to advise that the owners of these properties have requested heritage designation.

35. (A) That City Council give approval to the "Intent to Designate" the property at 455 Bay Street North as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of City Council as APPENDIX "T" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

The Committee also wishes to advise that the owner of this property has requested heritage designation.

36. (A) That City Council give approval to the "Intent to Designate" the property at 469 Bay Street North as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.



**Note:** Attached for the information of City Council as APPENDIX "U" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

37. (A) That City Council give approval to the "Intent to Designate" the property at 126 James Street South as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of City Council as APPENDIX "V" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

38. (A) That City Council give approval to the "Intent to Designate" the property at 158 James Street South as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1974.

**Note:** Attached for the information of City Council as APPENDIX "W" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

39. (A) That City Council give approval to the "Intent to Designate" the property at 188 Markland Street as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of City Council as APPENDIX "X" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

40. (A) That City Council give approval to the "Intent to Designate" the property at 28 South Street as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of City Council as APPENDIX "Y" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

41. That leave be granted to introduce the following Bills:-

- a) Bill C-76 By-law to Amend Zoning By-law No. 6593 Respecting Wholesale Establishments. ("JJ" and KK" District Regulations)
- b) Bill C-77 By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the South Side of Rymal Road West at Garth Street.
- c) Bill C-78 By-law to Adopt Official Plan Amendment No. 31 Respecting Lands Located on the East and West Sides of Upper Wentworth Street Between Mohawk Road East and Limeridge Road East.
- d) Bill C-80 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 273 and 279 East Avenue North.
- e) Bill C-81 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 201 Ferguson Avenue South.
- f) Bill C-82 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1179 Upper Sherman Avenue.
- g) Bill C-83 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 32 - 120 and 167 - 265 Pottruff Road North.
- h) Bill C-84 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of Upper Wentworth Street, Between Mohawk Road East and Limeridge Road East, in the Vicinity of Kingfisher Drive.
- i) Bill C-85 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 841 and 849 Upper Wentworth Street and Rear Land.
- j) Bill C-86 By-law to Amend By-law No. 84-252 Respecting Conveyance of Land for Park Purposes.
- k) Bill C-87 By-law to Designate the Property Located at Municipal No. 250 James Street South as Property of Historic and Architectural Value and Interest.

- l) Bill C-88 By-law to Designate the Property  
Located at Municipal No. 316 James  
Street South as Property of Historic  
and Architectural Value and Interest.
- m) Bill C-89 By-law to Designate the Property  
Located at Municipal Nos. 109 George  
Street as Property of Historic and  
Architectural Value and Interest.
- n) Bill C-90 By-law to Designate the Property  
Located at Municipal No. 433 Bay Street  
North as Property of Historic and  
Architectural Value and Interest.
- o) Bill C-91 By-law to Designate the Property  
Located at Municipal No. 107 George  
Street as Property of Historic and  
Architectural Value and Interest.

Respectfully submitted,




Alderman W. M. McCulloch, Chairman  
Planning and Development Committee

John D. Thompson, Secretary  
Planning and Development Committee  
JDT:mjw

1985 August 14





- LEGEND**
- Proposed change in zoning from "AA" (Agriculture)
- BLOCK 1  "C" (Urban Protected Residential, etc.) District
  - BLOCK 2  "R-4" (Small Lot Single-family Detached) District
  - BLOCK 3  "R-4" (Small Lot Single-family Detached) District - Modified

Appendix "A" as referred to in  
Item 1(c) of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.



ZA 85-22  
ZA 85-42

MAP No. 3



105

C/S-320

D/S-452

AA

AA

D/S-430

1

2

R4/S-784

R4

MEGNA D/S COURT 564

RT-10  
BLOCK D  
S518

VESPARI PLACE

UPPER PARADISE ROAD

AA

C

C

GAFNEY CT.

GEMINI COURT

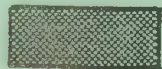
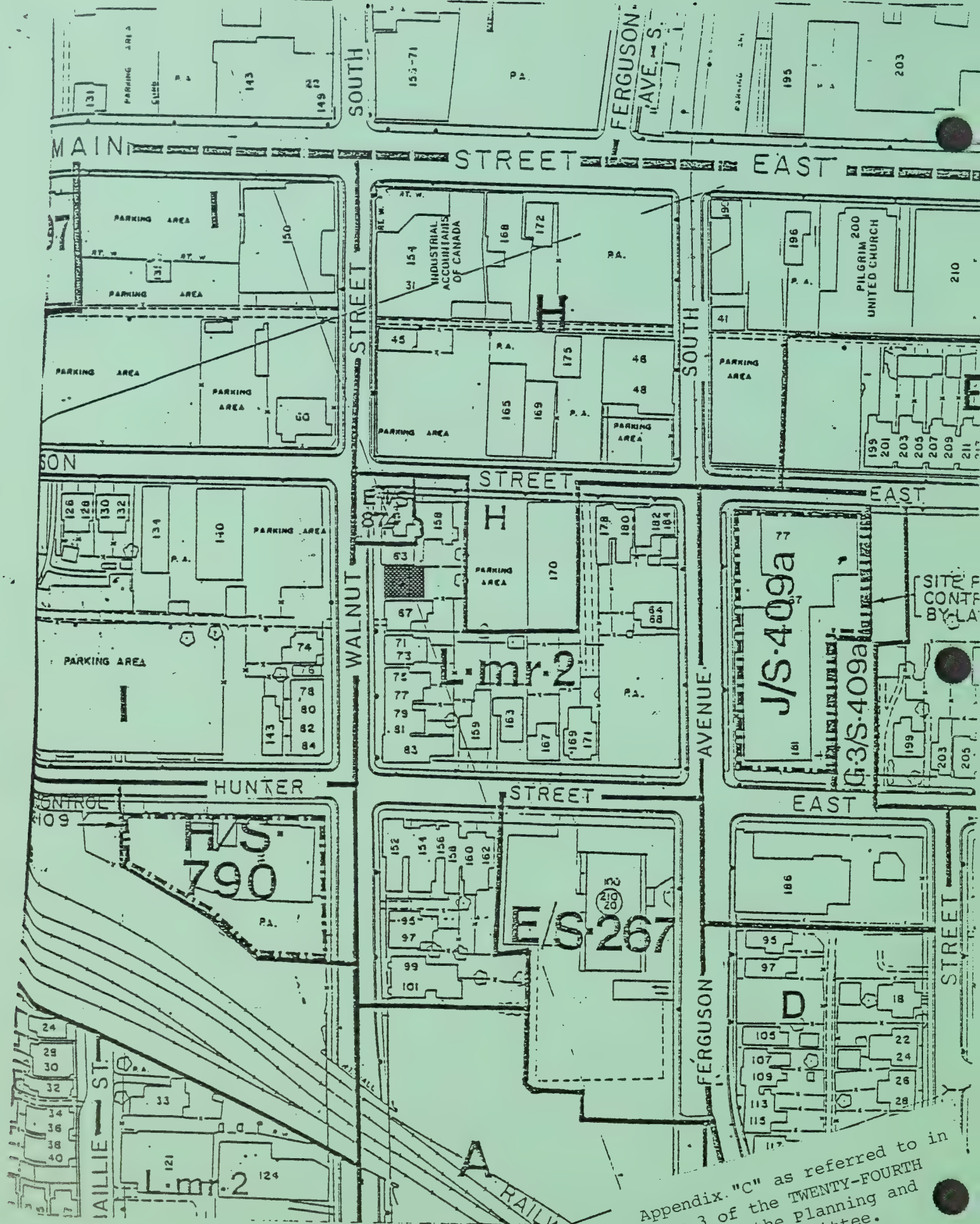
D/S-662a

D/S-531

### LEGEND

- Change in zoning from "AA" (Agricultural) a
- 1 "C" (Urban Protected Residential, etc.) District.
- 2 "RT-10" (Townhouse) District.

Appendix "B" as referred to in Item 2 of the TWENTY-FOURTH Report of the Planning and Development Committee.



SITE OF THE APPLICATION

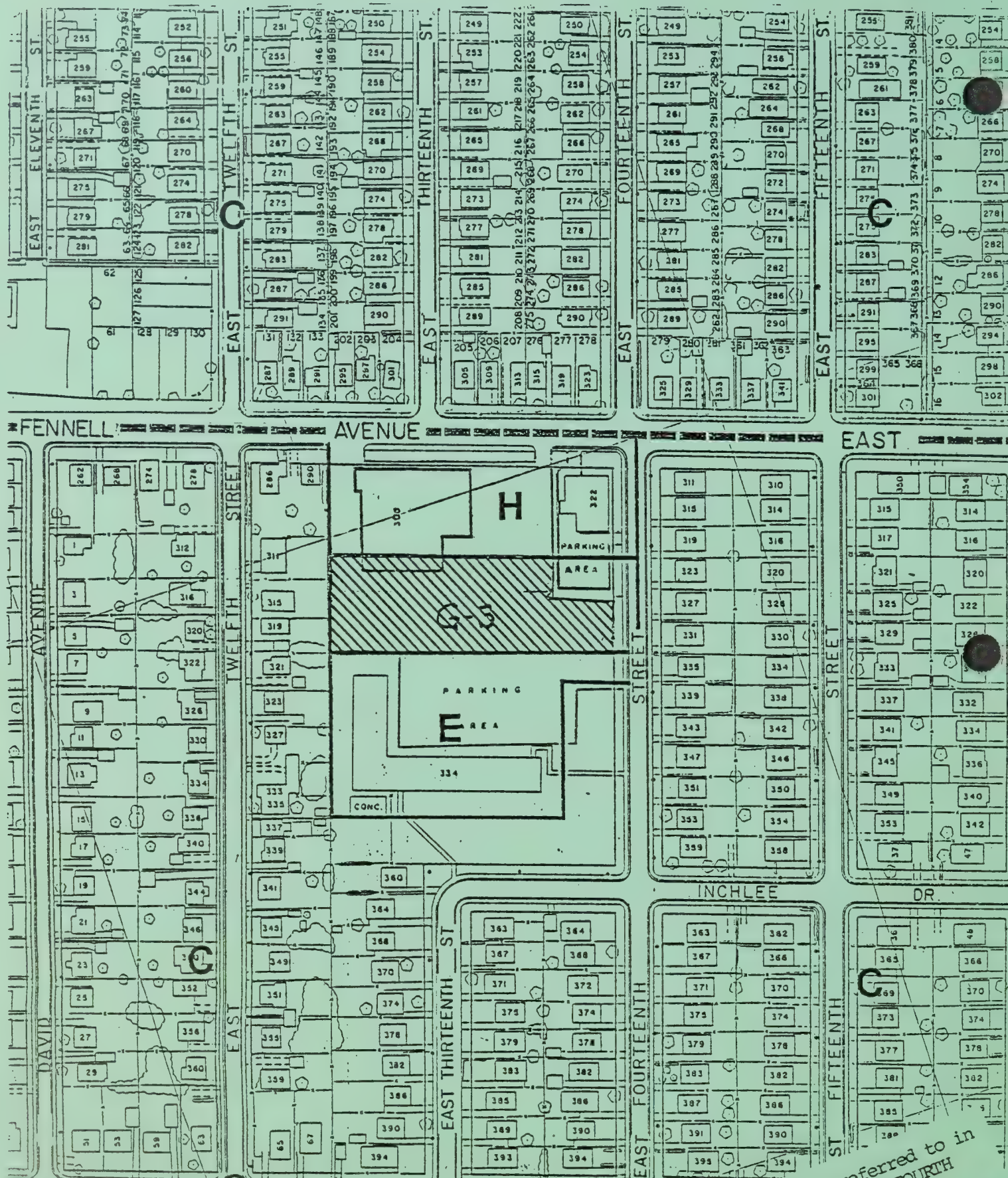
Appendix "C" as referred to in  
Item 3 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.





D





# LEGEND.



SITE OF THE APPLICATION.

Appendix "E" as referred to in  
Item 5 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.







C

AVENUE

EAST TWENTY EIGHTH ST.

UPPER

**SHERMAN**

AVENUE

MUNN

EAST . . . THIRTY . . . FIRST

STREET

EAST  
THIRTY  
SECOND

Appendix "G" as referred to in  
Item 7 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

## SITE OF THE APPLICATION





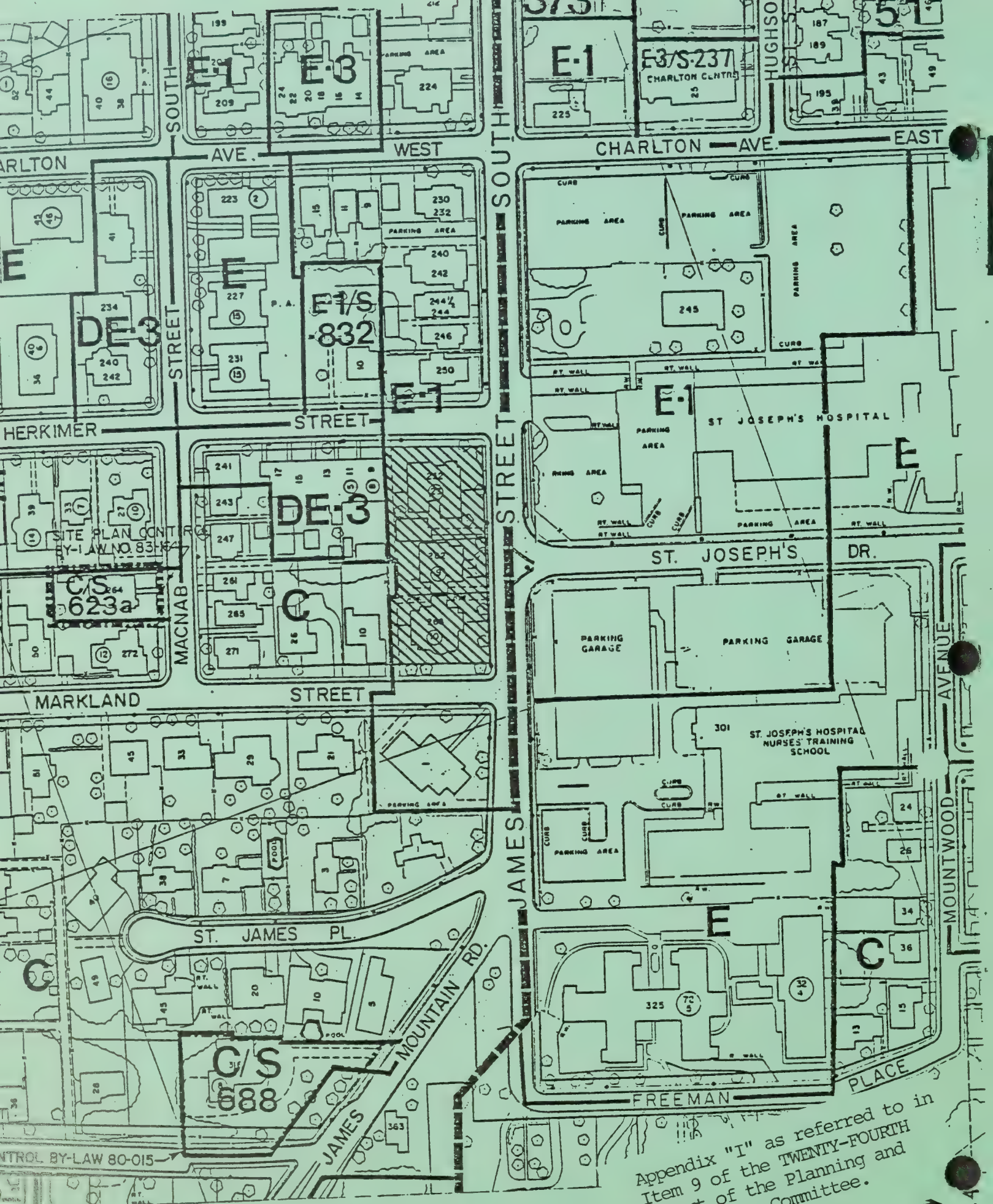
# LEGEND.

 SITE OF THE APPLICATION.

Appendix "H" as referred to in  
Item 8 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.







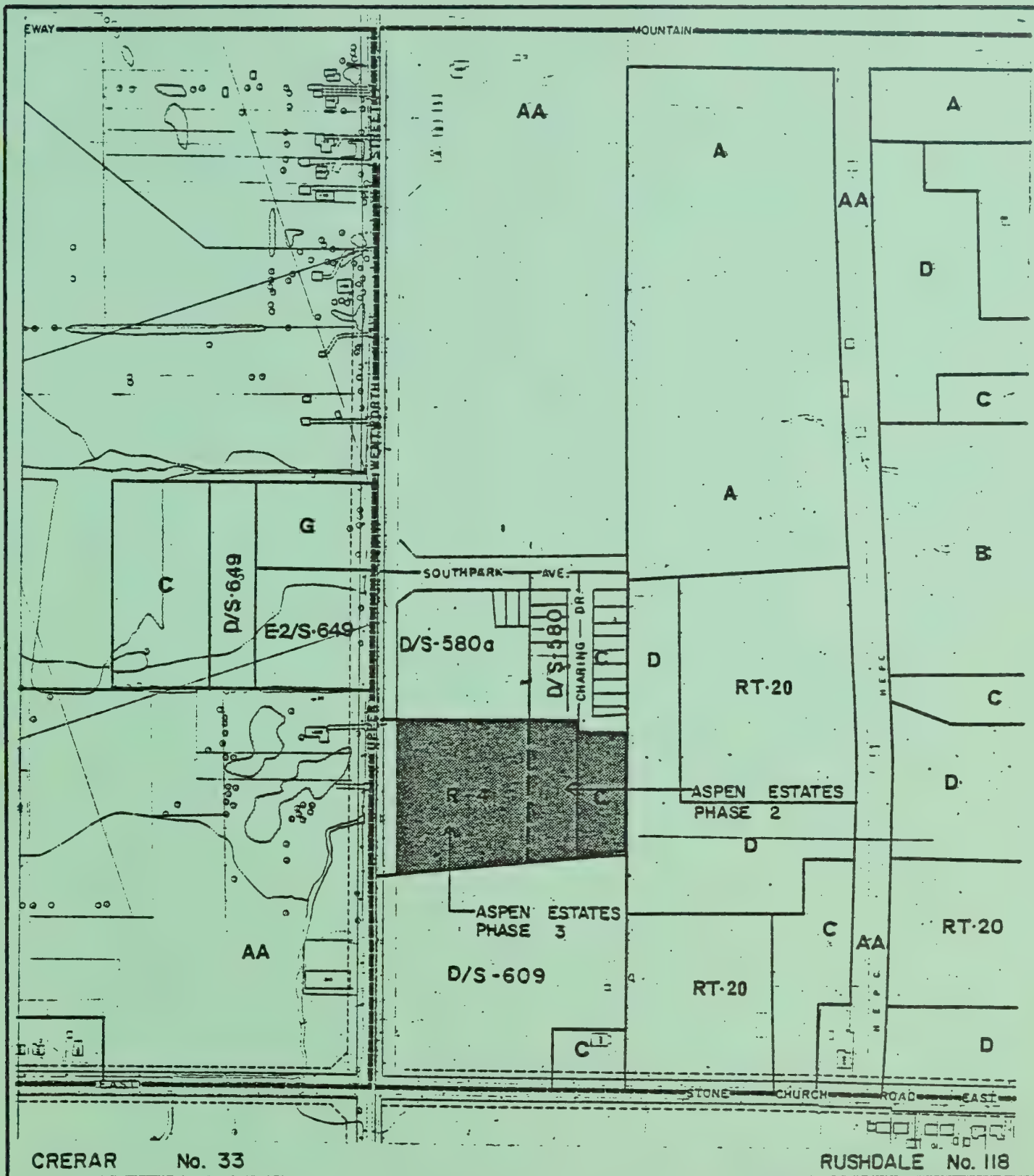
 SITE OF THE APPLICATION

Appendix "I" as referred to in  
Item 9 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

2485-50

MAP No. 4



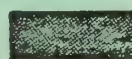


# CITY OF HAMILTON

## APPENDIX "A"

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



LANDS SUBJECT TO  
BY-LAW 82-220.

North







Appendix "J" as referred to in  
Item 11 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

No.

# LAND USE

## RESIDENTIAL

-  single & double
-  attached housing
-  low density lots.
-  medium density lots.

## COMMERCIAL

-  CIVIC & INSTITUTIONAL
-  PARK & RECREATIONAL
-  OPEN SPACE
-  UTILITIES

PROPOSED CHANGE  
FROM ROADWAY  
LINK TO  
PEDESTRIAN  
LINK

STRAWBERRY  
HILLS  
AREA

SECOND ACCESS  
TO FLAKE AVENUE TO DND

Appendix "K" as referred to in  
Item 15 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

Approved  
Planning Bd. of 1966 Council 422, 10, 1966  
Revisions

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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CITY OF HAMILTON  
PLANNING DEPARTMENT

RIVERDALE EAST  
APPROVED PLAN



SCALE 1" = 100'

D



6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 4000 square feet, 2000 sq. ft. on each of the two levels upon the hereinbefore described land by not later than May 5th, 1986.

Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than May 5th, 1987.

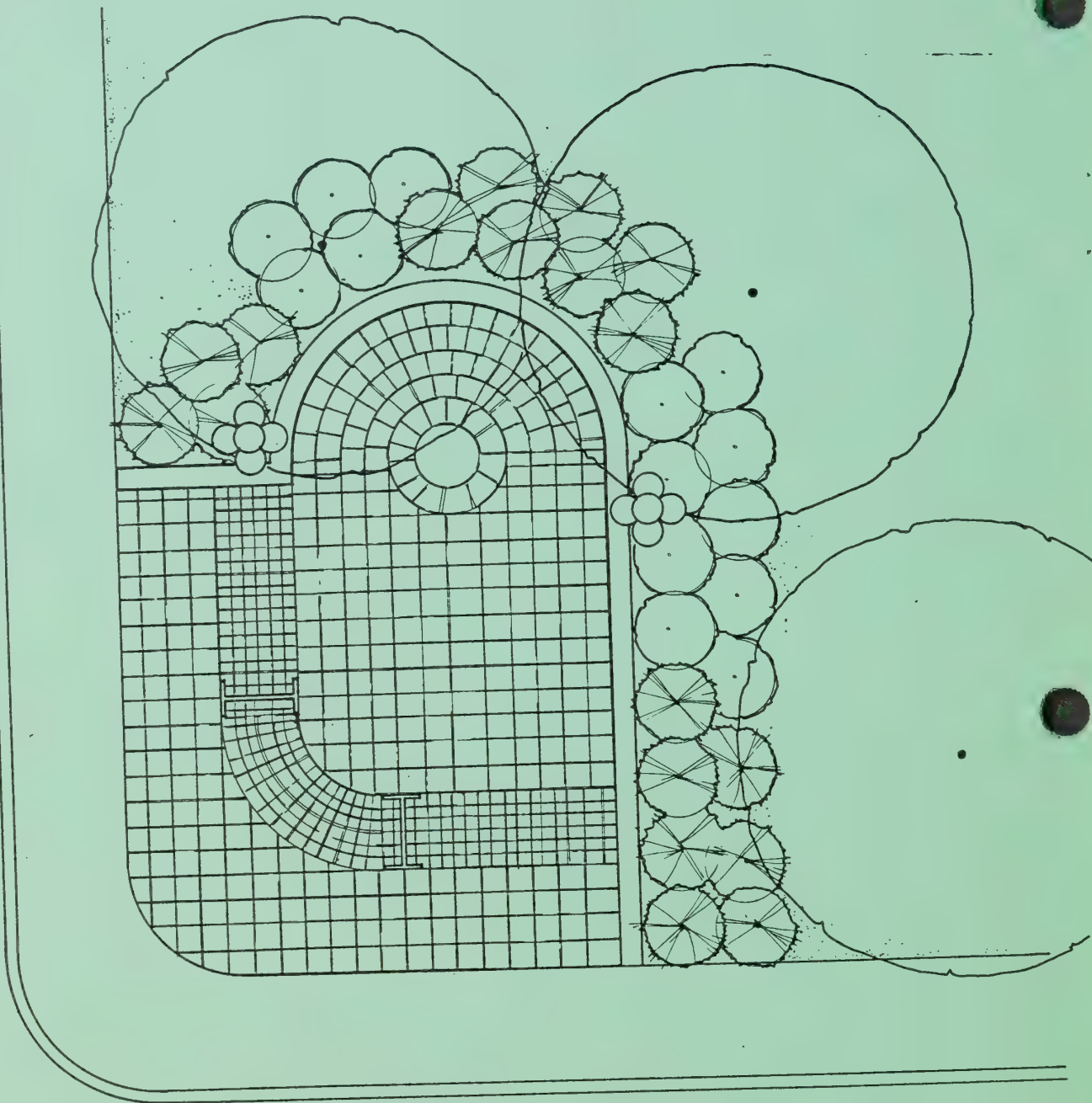
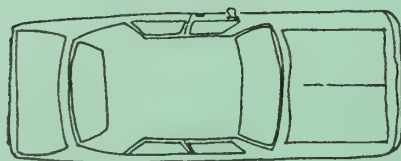
The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Appendix "L" as referred to in Item 18 of the TWENTY-FOURTH Report of the Planning and Development Committee.

Bay Street

Main Street



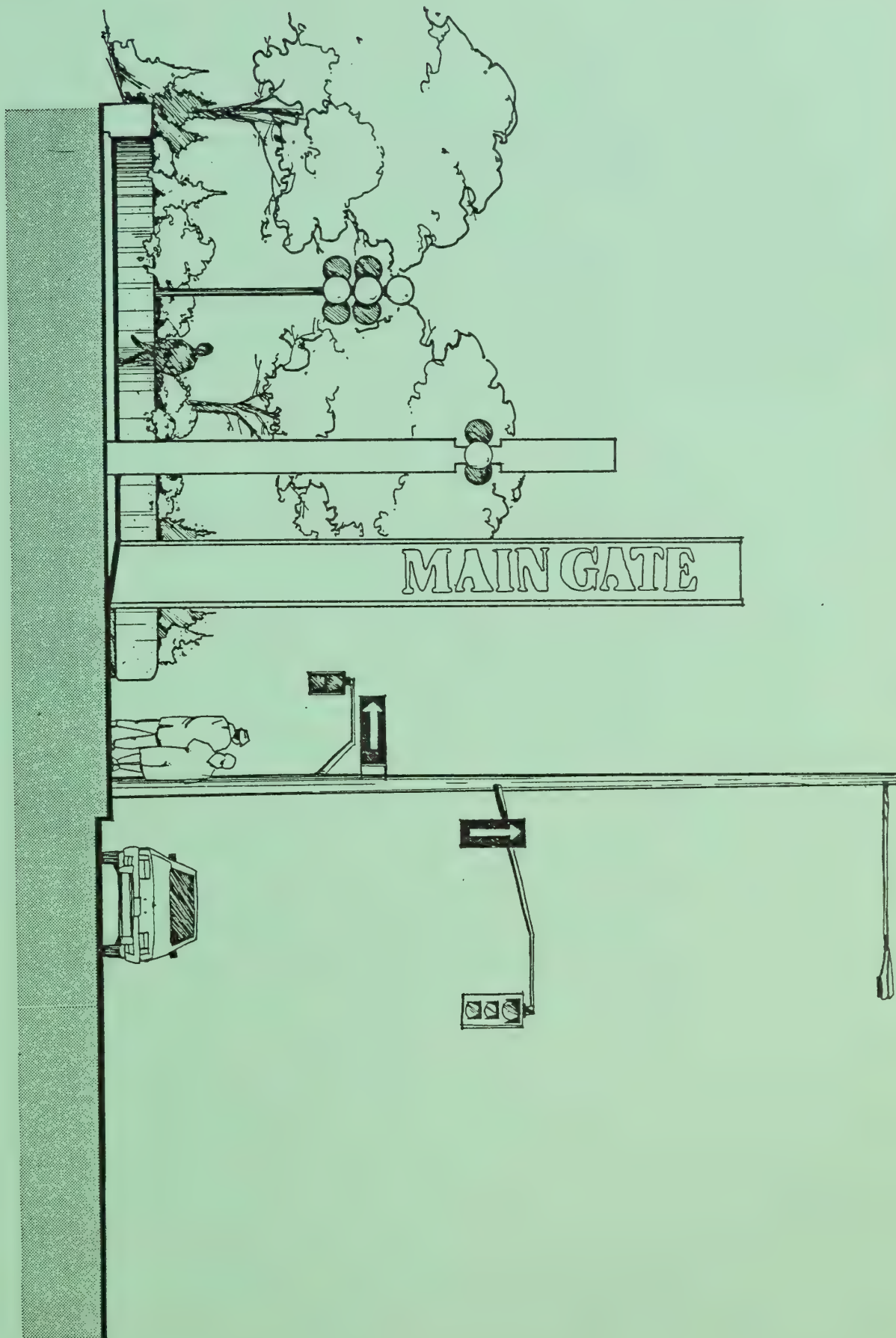
Appendix "M" as referred to in  
Item 23 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

Downtown Action Plan  
Hamilton, Ontario  
Gateway Treatment  
Preliminary Concept  
July 1985



Landscape Architects  
Resource Planning  
23 Bloor Street  
Toronto, Ontario  
M5S 1B7  
(416) 593-0240





**Downtown Action Plan**  
 Hamilton, Ontario  
**Gateway Treatment**  
 Preliminary Concept  
 July 1985

**Montreal**  
 Fleming  
 Golden  
 McCarthy

**Landscape Architects**  
 Resource Partners  
 33 Brian Street  
 Toronto, Ontario  
 M5A 1R7  
 (416) 366 9236

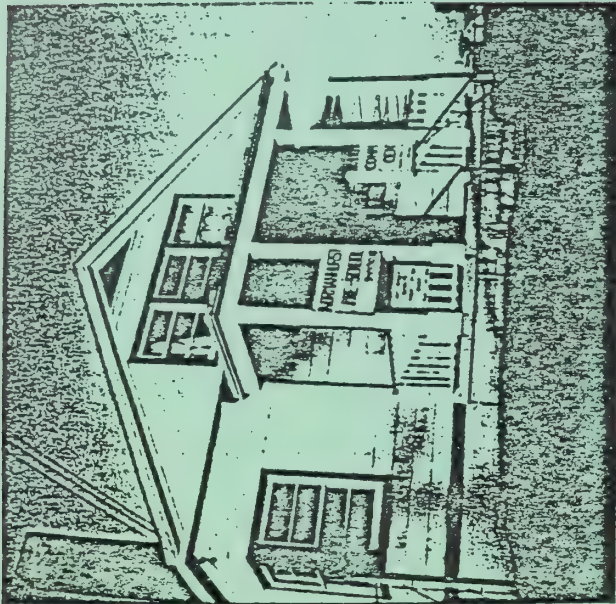
Loan Programme, Second Level Lodging Homes -  
Rehabilitation Programme Procedures

1. The owner of the building must make application.
2. No income requirements of owner.
3. Homes must be in existence and operating for at least one year before making application.
4. The majority of the occupants of the home must be former psychiatric patients.
5. All applications must be approved by the City's Planning and Development Committee and City Council.
6. The only eligible items for rehabilitation are those found needing repair under the Property Standards By-law, Fire Code or the Provincial Health regulations.
7. Extensions and cosmetic improvements are not eligible.
8. Only one loan per home allowed, and all deficiencies must be completed under the original application.
9. All completed work to be approved and inspected by the City of Hamilton.
10. Owner required to obtain two estimates for all work required and these estimates must be acceptable to the City.
11. Grants are not permitted and the maximum loan amount will be established at \$7,000. per Psychiatric patient housed to a maximum of \$50,000. per home.
12. The interest rate is 3 percent per year, amortized over ten years.
13. Monthly repayments to be credited to the loan programme account, to be reused in processing additional loans.
14. There must be sufficient equity in the property to cover outstanding mortgages and current municipal taxes must be up-to-date.

Appendix "N" as referred to in Item 25(b) of the TWENTY-FOURTH Report of the Planning and Development Committee.

15. Loan repayments transferable to new owner upon approval by City, and retention of home for psychiatric out patients.
16. If status as second level lodging house is lost, then the outstanding loan becomes due and payable.
17. All loans to be secured by placing liens on the property.
18. All applications will be processed on a first-come first-served basis.





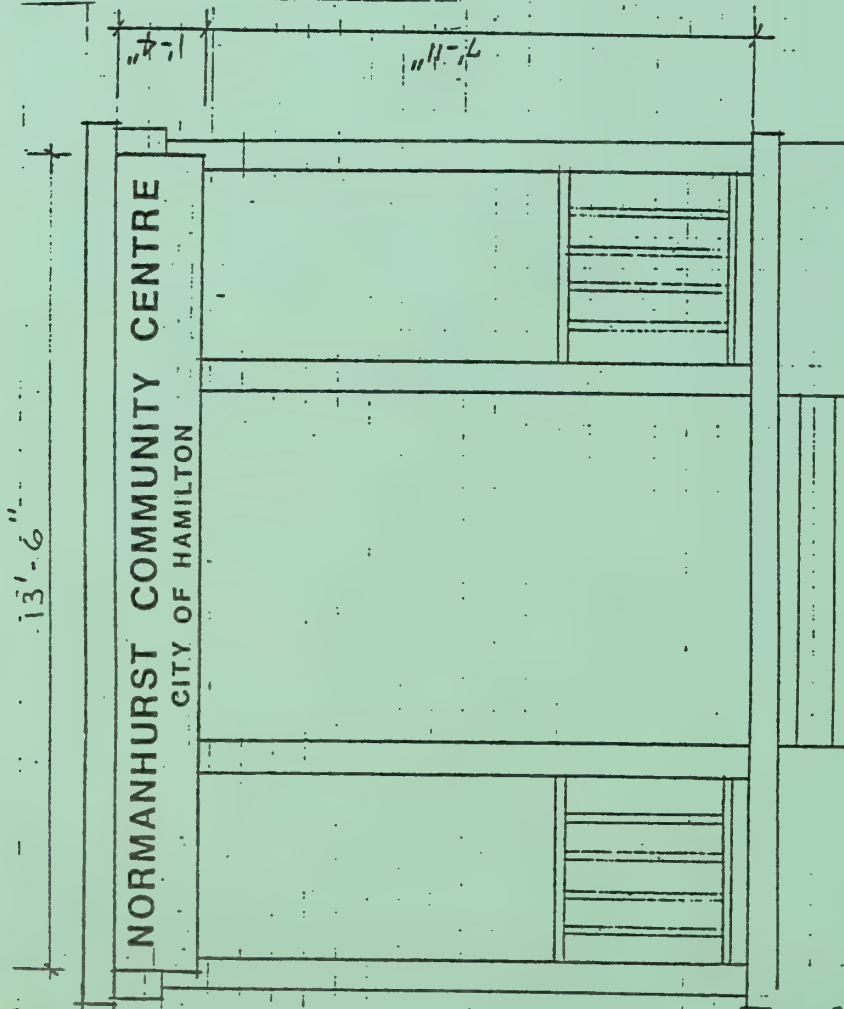
PAINTED METAL SIGN (13'-6" x 1'-4")

LARGE LETTERS: 6" x 1/2" THICK

SMALL LETTERS: 3" x 1/4" THICK

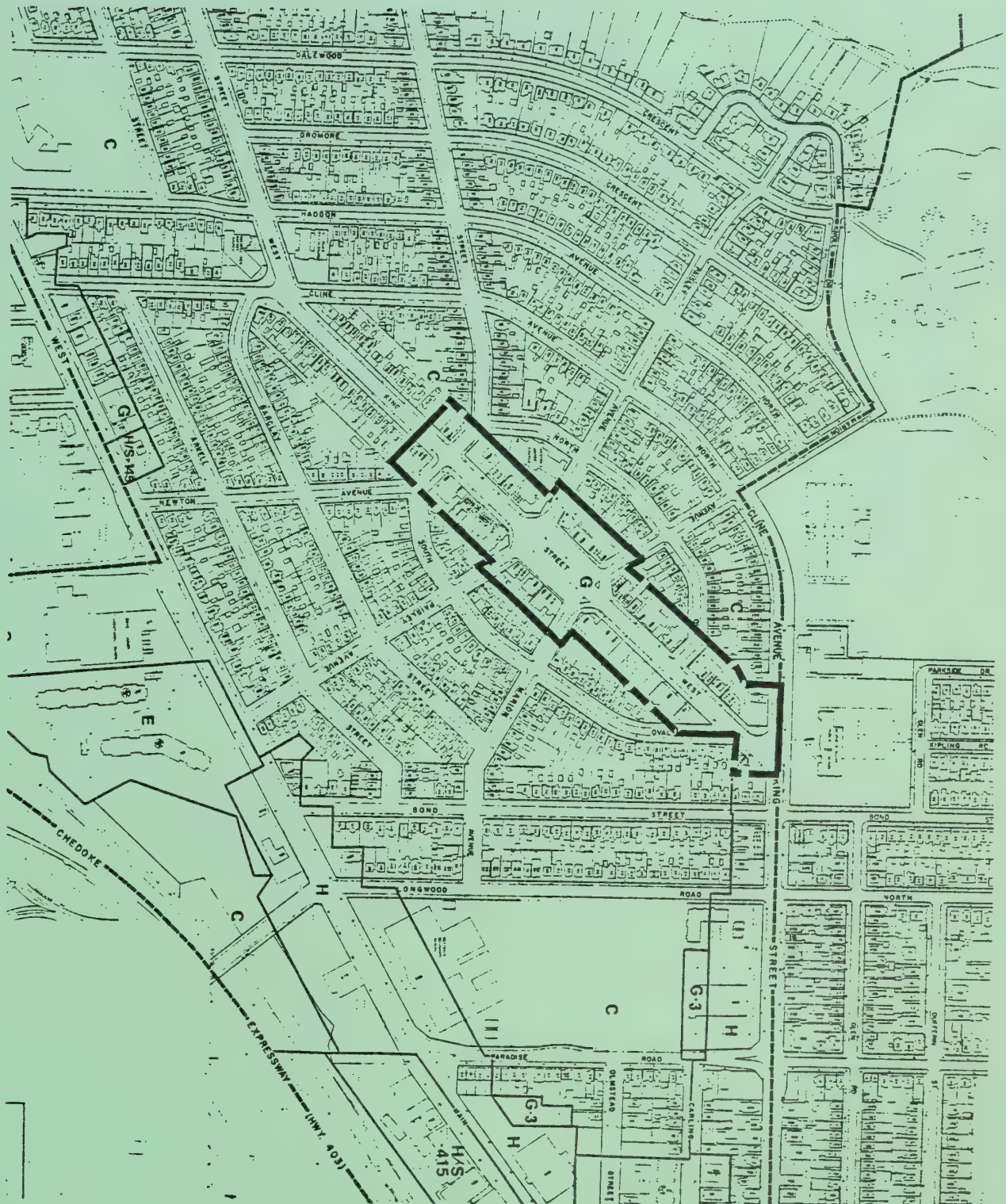
COST \$1200.00

JUNE 10, 1985.



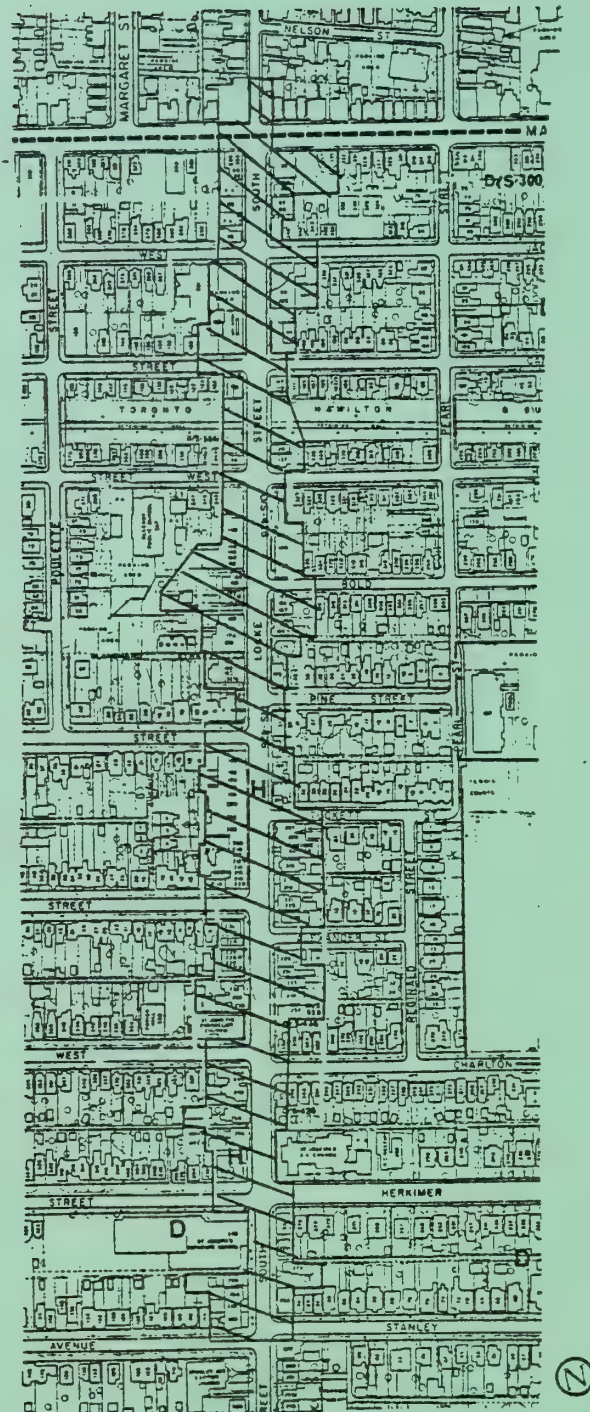
Appendix "O" as referred to in  
Item 27 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.






WESTDALE BUSINESS IMPROVEMENT AREA  
This is Schedule \_\_\_\_\_ to By-law No. \_\_\_\_\_, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

Appendix "P" as referred to in Item 28 of the TWENTY-FOURTH Report of the Planning and Development Committee.



 Lands to be designated "Business Improvement Area"

Bill No.

This is Schedule "B" to By-law No. 8 - , passed on the day of 198 .

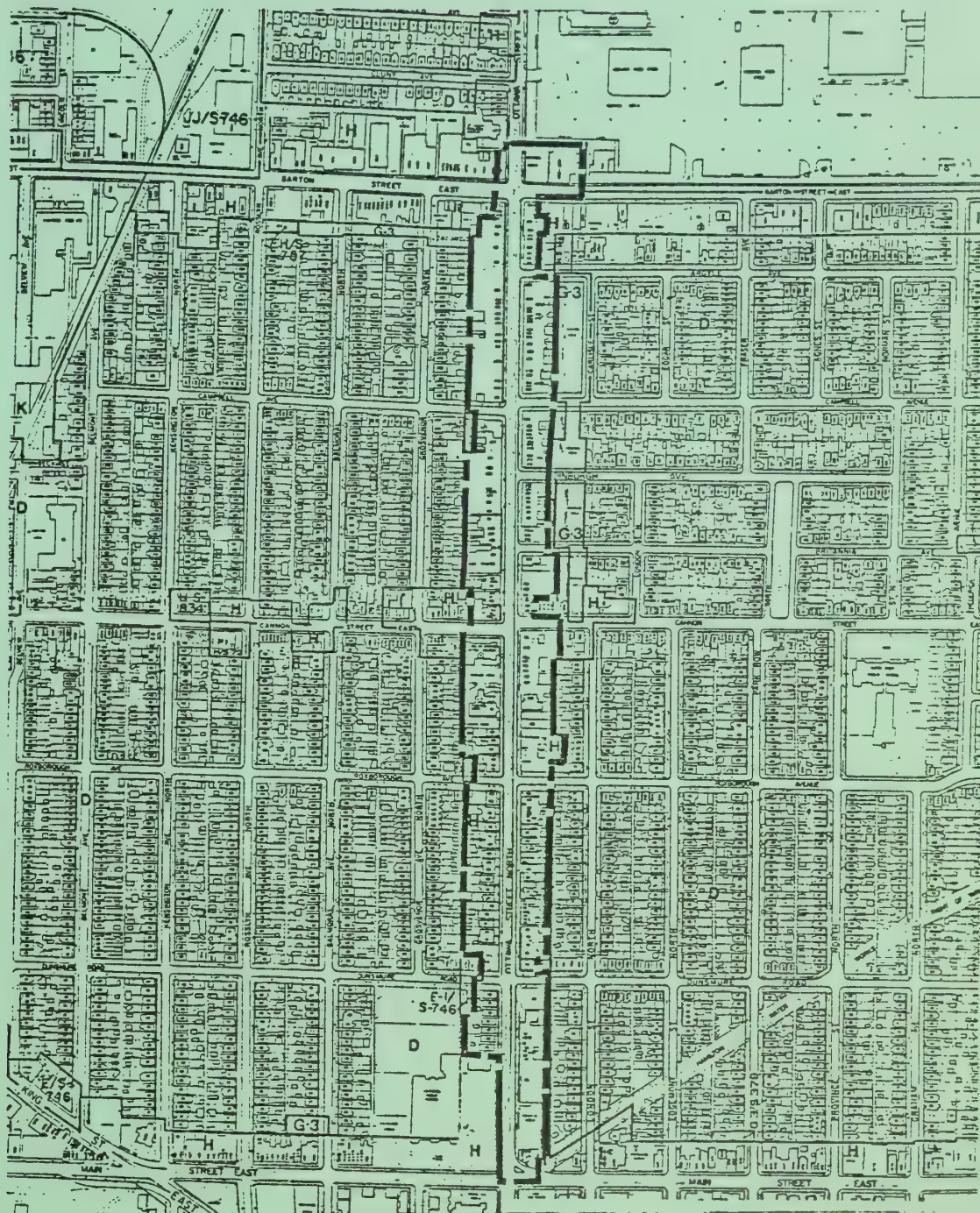
THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

Appendix "Q" as referred to in Item 29 of the TWENTY-FOURTH Report of the Planning and Development Committee.





Ottawa Street North Business Improvement Area

This is Schedule to By-law No. , passed on the day of , 1985.

Appendix "R" as referred to in Item 30 of the TWENTY-FOURTH Report of the Planning and Development Committee.

## REASONS FOR DESIGNATION

### 207 - 211 Caroline Street South

The three brick rowhouses at 207-211 Caroline Street South, located at the southeast corner of Robinson Street, were built in 1887 by James Jobson. Originally from Dublin, Ireland, Mr. Jobson had purchased the property in the 1850's moved into #211 in 1892, and built the house next door at #213 for his niece, Annie Morrow Treshman in 1910. Development of the family property was continued by his nephew James Morrow who built the two adjacent houses at #215 and #217 in 1904 and 1913, respectively.

Designed uniformly as a terrace, 207-211 Caroline St. South is Victorian in character, displaying such popular features as the one-storey bay window and contrasting brick and stone lintels. The buildings are further unified by a continuous verandah across the front facade, added shortly after construction. As a group the terrace contributes a strong heritage element to the Caroline Street South streetscape.

Important to the conservation of 207-211 Caroline Street South is the preservation of the original features of the front and north facade.

Appendix "S" as referred to in  
Item 34 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.



## REASONS FOR DESIGNATION

### 455 Bay Street North, Hamilton

Located near the northern end of Bay Street, 455 is a one-storey brick residence built in 1900 by Charles Irish, a shoemaker by trade. Designed in the traditional Ontario Cottage style, the house adds architectural character and a sense of continuity to the important residential streetscape of Bay St. North. The building presents a lively street facade featuring a central gable, circular window, brick ribbing, and large windows flanking the central doorway. From inside, the house also enjoys a waterfront orientation, as a lower storey is built into the steeply pitched slope at the rear.

The building was associated with the waterfront at the time when George Asken, of Asken Boat Works, and his family lived in the house, from 1913-1937.

Important to the conservation of 455 Bay Street North is the preservation of the original features of the front facade.

Appendix "T" as referred to in  
Item 35 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

## REASONS FOR DESIGNATION

### 469 Bay Street North, Hamilton

Documents indicate that in 1869 William W. Grant, a sailmaker already in business on Zealand's wharf, built a new Sail Loft at 469 Bay Street North. Located on a steeply sloped waterfront site, Grant's Sail Loft presents a one-storey gabled brick front to the street but from the bay, the structure has a tall three-storey facade, the first two stories built of coursed rubble.

Originally incorporated into a shoreline landscape of wharves, boathouses, shipyards and warehouses, the Sail Loft is significant today as the only survivor from the North End's flourishing 19th-century commercial waterfront. As such, 469 Bay Street North provides a tangible link with this notable period in Hamilton's history.

Architecturally, the Sail Loft, is significant as a relatively specialized building type, which determined its size, location, and construction, free of interior supports.

In use as a Sail Loft from 1869-1887, 469 Bay Street North subsequently housed a variety of occupants including a straw-goods company, a machine works and from 1921-1944, it served as headquarters for Hamilton's naval reserve and sea cadets.

Important to the conservation of 469 Bay Street North is the preservation of the original features of the four exterior facades.

Appendix "U" as referred to in  
Item 36 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

## REASONS FOR DESIGNATION

### 126 James Street South, Hamilton

Founded in 1897 by Dr. C.L.M. Harris, the Hamilton Conservatory of Music completed construction of its imposing new premises at 126 James Street South in 1906. Situated on an elevated site just south of the railway underpass, the three-storey brick and stone structure serves as a significant component in one of the city's most important streetscapes. Architecturally, the Conservatory is a specialized building type, the only one of its kind to be erected in Hamilton. The architect was A.W. Peene, who later designed the Carnegie Library building on Main Street West.

During its eighty-three year history as the centre of musical education for Hamilton and the surrounding area, the Conservatory was a well-known and highly respected professional institution. With the closing of the school in 1980, this landmark, although converted to another use, continues to provide a tangible record of the Conservatory's important role in the musical development of Hamilton.

Important to the conservation of 126 James Street South is the preservation of the original features of the front facade, namely, the brick and stone construction, the front entranceway, the fenestration, and decorative trim.

Appendix "V" as referred to in  
Item 37 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.



## REASONS FOR DESIGNATION

### 158 James Street South, Hamilton

The rowhouse at 158 James Street South is part of the historic stone terrace situated between Bold and Duke Streets. Constructed in the 1850's, the block is one of the most notable examples to survive from Hamilton's pre-Confederation era. Its stone construction, simplicity of design and high quality masonry work are hallmarks of this important mid-century building period. Although built by three different owners, the terrace is unified into one overall design, each structure a vital component in the total scheme. As a whole, the block constitutes a rare and well-preserved example of an early Victorian neighbourhood. It is also a major anchor block in the historic streetscape of James South.

158 James St. South was built for Alexander Gordon, a shoe manufacturer, between 1853 and 1858. In 1861, MP Samuel Mills, a noted Hamilton politician, entrepreneur and philanthropist, acquired the property. It remained in the Mills family ownership for over seventy years.

Important to the conservation of 158 James St. South is the preservation of the original features of the front facade.

Appendix "W" as referred to in  
Item 38 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.



## REASONS FOR DESIGNATION

### 188 Markland Street, Hamilton

The one-storey brick cottage at 188 Markland Street was built in 1892 by the Government of Ontario as a residence for the engineer in charge of the Queen Street Pumping Station located next door. This Pumphouse had been built in 1879 in order to provide a water supply for the recently opened Hamilton Asylum for the Insane, now the Hamilton Psychiatric Hospital. In response to neighbours' requests, the Department of Public Works under the supervision of provincial architect Kivas Tully made improvements to the pumphouse grounds by fencing the premises and building the engineer's residence. At the same time a new fire hall at the hospital was erected and the contract for all the work was awarded to J. & E. Dickenson of Hamilton. 188 Markland Street is historically significant as the only one of these three buildings to have survived. Architecturally, the house is a noteworthy example of the Second Empire style, characterized by the slate mansard roof, the dormers, bay window and arched doorway.

Important to the conservation of 188 Markland Street is the preservation of the original features on the front and east facades.

Appendix "X" as referred to in  
Item 39 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

## REASONS FOR DESIGNATION

### 28 South Street, Hamilton

28 South Street is the pioneer homestead for a seventy acre farm that originally extended from Aberdeen Avenue south to the escarpment and from Dundurn Street east to Locke Street, comprising part of Lot 18 in the 4th Concession of Barton Township.

The property was subdivided in 1881, annexed by Hamilton in 1891 and now consists of ten residential blocks. The farmhouse has been incorporated into the present street pattern, but its orientation has been reversed. Built c. 1840's, 28 South Street is important as a tangible record of Hamilton's origins as a farming community.

Notable is the building's stone construction, a material locally available primarily during the 1840's and '50's. Originally, the one-storey north facade was the front of the house, with the entranceway off Aberdeen Avenue.

Little is known of the first settlers other than John Ashbaugh, a yeoman of British origins, farmed the land in 1841 and Thomas Bush owned the property from 1848 to 1881.

Important to the conservation of 28 South Street is the preservation of the original features of the front, east and west facades.

Appendix "y" as referred to in  
Item 40 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.







## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **TWELFTH** Report for 1985 and respectfully recommends:

1. (a) That permission be granted to the Lung Association to hang a banner from the balcony of City Hall from 1985 November 1-15 inclusive for advertising the start of the Christmas Seal Campaign.
- (b) That permission be granted to fly the Cross of Lorraine flag on City Hall for the month of 1985 November.
2. That permission be granted to hang a banner from the balcony of City Hall from 1985 October 1-11 to endorse the Tools for Peace Campaign.
3. That permission be granted to the Hamilton Status of Women Committee to hang an 18" X 12" commemorative plaque honouring the past and future recipients of the Women of the Year Award on the plaque display panel on the north wall, second floor, outside the office of the Chief Administrative Officer.

**NOTE:** The above recommendation is in accordance with the policy for commemorative plaques approved by City Council at its meeting held 1985 April 9.

4. That permission be granted to the Rape Crisis Centre (Hamilton) and the Women's Centre of Hamilton-Wentworth to use the City Hall forecourt, electrical outlets and washroom facilities on Friday, 1985 September 13th from approximately 8:00 o'clock p.m. to 10:00 o'clock p.m.
5. That permission be granted to Festitalia to display approximately 35-40 photographs of historic sites of Italy from September 5-15, 1985, in the second floor foyer area of City Hall.
6. That authorization be given for the Department of Culture and Recreation's weekly television show "What's Happening" filmed by Cable 4 to originate live from the west foyer area outside of the Council Chambers on Tuesday evening from 6:00 to 6:30 o'clock p.m.
7. That Council endorse the resolution received from the City of Windsor adopted by the Windsor Utilities Commission at its meeting held 1985, March 27 as follows:

**WHEREAS** most of Ontario Hydro's Bruce Nuclear Power Development is in service and all of the electrical generation will be available in 1987, and

**WHEREAS** there is insufficient electrical transmission capacity to deliver all of the power available from Bruce on a reliable basis, and

**WHEREAS** Ontario Hydro has attempted to obtain approval for the location and routing of the necessary transmission facilities for many years in the public participation process, including hearings by the Solandt Commission, the Royal Commission on Electric Power Planning, and the Joint Hearings Board under the Consolidated Hearings Act, and

**WHEREAS** an Ontario Supreme Court decision in 1984 has nullified approvals that were obtained, thus delaying the possibility for constructing the transmission lines for some years, and

**WHEREAS** the limiting of delivery of inexpensive electrical energy from Bruce may:

- (a) cost the citizens of Ontario additional hundreds of millions of dollars per year to provide substitute generation fired by imported coal,
- (b) substantially increase the production of air pollutants and acid rain caused by the burning of that coal, and
- (c) introduce the likelihood of one or more sizable power interruptions each year for many of Ontario's industries, commercial enterprises and entire residential communities, and

**BE IT RESOLVED THAT** the Government of Ontario be requested to expedite the procedures necessary to assure that there will be no further delay in providing for electrical transmission line routes out of the Bruce Nuclear Power Development and that this Resolution be circulated among other Ontario municipalities for information and endorsement and forwarded to the Association of Municipalities.

8. That Council endorse the resolution received from the City of North York respecting the matter of Increase in Assessments on Residential Properties in the City as a result of improvements made by the owners as follows:

**WHEREAS** North York homeowners are reluctant to fix up their homes because household improvements will increase the assessment on their property, thereby raising their property taxes; and

**WHEREAS** the City of North York wants to encourage property owners to upgrade, renovate and improve their homes without being penalized by the provincial assessor with higher taxes; and

**WHEREAS** the Province proposes to review assessments and make necessary increases in assessment where the cumulative value of the additions and/or alterations will add \$5,000 to the market value of the property; and

**WHEREAS** this provincial policy may discourage homeowners from making improvements to their dwellings; and

**WHEREAS** the North York Treasury Department as well as all other municipalities regularly submit a list of building permits issued by the Building Department to the provincial assessment office under an informal arrangement; and

**WHEREAS** it is not mandatory that these copies be voluntarily supplied to the assessor;



**THEREFORE BE IT RESOLVED** that the Treasurer in conjunction with the Building Commissioner be instructed to design a system for implementation whereby copies of building permits involving rehabilitation, remodelling or modernization of an existing home be retained in the Building Department unless the above-listed improvements increase the square footage of the dwelling; and

**BE IT FURTHER RESOLVED** that building permits for new buildings continue to be submitted in the current manner to the provincial assessment office and that the Province be so advised; and

**BE IT FURTHER RESOLVED** that the City request the Province of Ontario to amend the Assessment Act to allow homeowners to rehabilitate, remodel or modernize their existing dwellings without the Province reassessing those homes at a higher value, unless the renovations will increase the square footage of the dwelling space; and

**BE IT FURTHER RESOLVED** that this motion be sent to all area municipalities in the Province of Ontario for endorsement with a request that they inform the Clerk of the City of North York as to the action they take and that it also be referred to the Association of Municipalities of Ontario (AMO) for action.

**AMENDMENT:**

"that circulation of the Motion herein be provided to all municipalities having a population of 50,000 or greater."

9. That Council endorse the resolution received from the City of Windsor respecting the Unconditional Grants Formula as follows:

**WHEREAS** the provincial government in 1983 amended its grant formula for the calculation of unconditional grants from a formula based on population and equalized assessment to a per household basis;

**AND WHEREAS** the Association of Municipalities of Ontario has expressed its concern that individual municipalities should be protected against significant grant losses - and the Province has addressed this concern by guaranteeing at least a 2-1/2% increase in 1984 and a 2% increase in 1985, through the introduction of a Revenue Guarantee Grant;

**AND WHEREAS** in 1985, 503 municipalities will draw on the Revenue Guarantee Grant in order to receive their 2% increase over 1984 total unconditional grants - indicating that the formula is not being followed for these 503 municipalities;

**AND WHEREAS** the Resource Equalization Grant component of the unconditional grants has had a ceiling on increases of \$2.50 per household in 1984 and \$1.25 per household in 1985, and this ceiling has resulted for many municipalities in a shortfall from the full entitlement under the formula - indicating that the formula is not being followed for many municipalities who are receiving less than the formula allows;

**AND WHEREAS** it is evident that for the vast majority of municipalities, the amount of unconditional grants depends not on the formula, but on the amount of grants received the previous year - and the formula is thus virtually irrelevant under the system as it is presently operated;

**THEREFORE BE IT RESOLVED** that the Association of Municipalities of Ontario be requested to meet with the Minister of Municipal Affairs and Housing to review the unconditional grants formula and its application with a view to making the formula more relevant to municipalities, keeping in mind:

1. The need to protect individual municipalities from significant grant losses and the phasing over a period of years of reductions in the level of protection, and
2. The need for municipalities to achieve their full entitlement under the formula within a few years;

**AND FURTHER** that Cities in Ontario which are affected in a similar manner to Windsor be requested to endorse this resolution.

10. That the City of Hamilton endorse the proposed revised Hamilton Civic Hospitals Act, 1978.
11. (a) That permission be granted to serve tea and coffee to approximately 90 people who will be attending the Hamilton Central Lions Club Senior Citizen's Tour on Thursday, 1985 October 10 at 10:30 o'clock a.m. at a cost of approximately \$40.00.  
(b) That permission be granted to use the foyer area outside of the Council Chambers from approximately 10:30 a.m. - 11:30 a.m. for this reception.  
(c) That the Finance Committee recommend the method of financing.
12. That Council oppose the issuance of an extended liquor licence to Schooner's Restaurant, 543 Upper James Street, Hamilton and that they authorize representation of their position at the hearing to be held by the Liquor Licence Board of Ontario on this application.
13. That the following guidelines for the burying of time capsules on City Hall property be adopted:
  - (a) That the burying of time capsules be restricted to events or occasions of significance at either the Municipal, Provincial, National or International level.
  - (b) That the burying of these capsules be restricted to the grassed area to the west of City Hall, with the exact site being determined by appropriate civic officials in consultation with the organization, etc., wishing to bury same.
  - (c) That the burying be under the supervision of the appropriate civic departments.
  - (d) That the site be suitably identified by a means satisfactory to the appropriate civic officials. This to include the size, material and wording of the marker.
  - (e) That the total cost involved be borne by the group or organization.

**NOTE:** This not to preclude the city participating in the cost if approached by the group or organization, and the Council agreeing.



- (f) That the City retain the right to remove or relocate the capsule at any time.
  - (g) That the applications be processed through the Legislation Committee and City Council.
14. That Ms. Pat Roberts be appointed to serve the balance of the term on the Hamilton Status of Women Committee vacated by Ms. Irene Stayshyn who has resigned to serve on the City's Pollution Control Committee.

**NOTE:** The term that remains is September - November, 1985.

15. (a) That specific areas be exempted from the Hours of Operation of Gasoline Stations By-law No. 9396.
- (b) That an amount not to exceed \$1,000.00 be authorized in order to carry out a legal survey by the Regional Surveyor.
- (c) That the Finance Committee recommend the method of financing.
16. That the City Treasurer be directed to investigate the feasibility of recovering funds granted to owners of properties through the Tax Appeal Committee once the property is sold or converted to the Estate on the death of the owner.
17. That Council recommend to the Convention Centre Board of Directors that they redirect their emphasis to attract National and International Conventions and business and that they discontinue efforts to attract local business.
18. That the City Solicitor be authorized and directed to prepare a By-law for the purpose of amending By-law 84-191 - to control the exercising of registered pigeons to the hours of 7:00 o'clock a.m. to 8:30 o'clock a.m., and to one hour after sunset.
19. (a) That the annual City Hall Open House be held on Tuesday, 1985 September 24 at a cost not to exceed \$1,000.00; and
- (b) That the Finance Committee recommend the method of financing.
20. That leave be granted to introduce the following bills:

**Bill D-11**      A Municipal Question to the Vote of the Electors.

**Bill D-12**      Renewal of Agreements and Advertisement of Goods and Services.

**Respectfully submitted,**

**Alderman V. J. Agro, Chairman  
Legislation**

S. K. Reeder  
Secretary  
1985 August 20









## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FOURTEENTH** Report for 1985 and respectfully recommends:

1. That no action be taken respecting a request to remove a City owned tree, including the roots, at 7 Woodland Avenue, at the City's expense.

**NOTE:** The above recommendation is as a result of a four-four tie vote at the Finance Committee held 1985 August 22.

2. (a) That a grant in the amount of \$6 500 be approved for the November 15, 1985 Gallery of Distinction Awards Presentation; and  
(b) That this amount be financed in the following manner:
  - \$2 560 from Account No. 0374-0601 - "General" Grant Category
  - \$3 940 to be transferred from Account No. 0374-1000 - "Convention and Reception" Grant Category to the "General" Grant Category
3. That the General Manager of the Hamilton Parking Authority be advised that he is to continue to manage the Arena/Trade Centre parking lot, located in the area bounded by Queen, Hess, Napier and Peter Streets, on behalf of the City and in the best interests of the City.
4. Approval of the awarding of the following contract:

### HAMILTON FIRE CONTROL CO., Hamilton, Ontario

Supply all labour, material and equipment necessary for the installation of Fire Alarm Systems and Emergency Lighting, in accordance with specifications issued by the Director of Purchasing and Vendor's Quotation as follows:

Inch Park	\$ 6 573.00
Coronation Park	6 171.00
Parkdale Park	6 527.00
	<u>19 271.00</u>
Less 3% Discount	<u>578.13</u>
TOTAL	\$18 692.87

**NOTE:** Lowest of 5 quotations. Funds provided in Account No. 0408-A7531.

The above has been processed through the emergency procedures of the City of Hamilton purchasing policy.

5. (a) That the claim of Albert Poole and the City against Philip S. Haigh be settled in the amount of \$13 649.85 inclusive of interest and costs, said amount to be paid to the City; and

- (b) That in accordance with Section 8(4) of The Workers' Compensation Act., R.S.O. 1980, Chapter 539 and the attached Application by Mr. Poole, the surplus of \$3 778.59, that will remain after deduction of the City's expenses, be paid to Mr. Poole.

**NOTE:** On September 29, 1981 Albert Poole was on the back of a City paint striper painting lane lines when the striper was hit by a motor vehicle owned and operated by Philip S. Haigh. Mr. Poole suffered injury to his right elbow and an action was commenced on behalf of the City and Mr. Poole against Mr. Haigh to recover damages.

As a result of a pre-trial before Judge Borkovich on March 14, 1985 and resulting settlement negotiations with the solicitor for Mr. Haigh's insurance company, it is recommended that the claims of the City and Mr. Poole be settled in the amount of \$13 649.85 inclusive of interest and costs, which amount is to be paid to the City.

After deduction of the City's expenses and costs, there will be a surplus of \$3 778.59 and it is recommended that in accordance with the authority granted under Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539, payment of the surplus be made to Mr. Poole.

The Workers' Compensation Act provides that in the event that Mr. Poole suffers a recurrence relating to this accident, the above-mentioned sum of \$3 778.59 remains as a credit to the City and will be deducted from the amount of any further compensation or other benefits to which Mr. Poole may become entitled to from The Workers' Compensation Board with respect to this accident.

6. That the costs of Jane Yeomans and Eleanor Dingwall be paid in the amount of \$11 910 plus interest from March 26, 1985 to date of payment at the rate of 12 per cent per annum.

**NOTE:** In adopting Item 1(c) of the Fifth Report of the Finance Committee for 1985 at its meeting of March 12, 1985, City Council approved the settlement of the action of Jane Yeomans and Eleanor Dingwall in the amount of \$30 000 for all claims, plus interest and taxed costs (plus the fee of Cardinal Investigations Limited in the amount of \$1 000 and a fee of up to \$100 for consultation with Dr. Harrison). Subsequently their solicitor, William Morris, Q.C., submitted an account for their costs in the amount of \$15 435 together with an appointment for taxation of the costs on August 1, 1985.

After some negotiation, Mr. Morris has agreed to reduce the costs by \$3 525 to \$11 910 which amount is recommended. Interest must be paid on the costs at the rate of 12 per cent per annum from March 26, 1985 being the date of the Judgement in this matter to the date of payment of the costs. Sufficient funds are available in Account No. 0378-1898 - Damage Claims to provide for this expenditure.

7. (a) That approval be given for the sale of the City owned property at 37 Strathcona Avenue North executed on July 29th, 1985 by the Purchaser, the Hellenic Community of Hamilton and District and scheduled for closing on October 9th, 1985, for the sum of \$75 000; and

- (b) That the City Clerk and City Solicitor be authorized and directed to complete this transaction; and
- (c) That the City Treasurer place the funds derived from the sale of this property in a reserve account from which the City can draw to assist Hamilton Theatre Inc. in its relocation to alternate facilities.

**NOTE:** A deposit cheque in the amount of \$5 000 is being held by the City Treasurer pending approval by Council.

- 8. That approval be given for the sale of a triangular parcel of land, at the south east corner of Dunn and Leaside Avenue containing 1 200 square feet (more or less) for the total amount of \$2 500, to Jones Neon Displays Limited.

**NOTE:** The offer was executed on August 16, 1985 and is scheduled to close on October 4, 1985. A certified deposit cheque in the amount of \$250 is being held by the City Treasurer pending approval of this transaction. The proceeds of the sale are to be credited to account 0280-02.

- 9. That Item 14(a) of the Tenth Report of the Finance Committee, adopted by City Council at its meeting May 28, 1985, respecting a one-time general grant to the Hamilton and District Slo Pitch Association - Men's Division, be rescinded due to the cancellation of the event.

**NOTE:** The Secretary of the Grants Sub-Committee has been notified by the Hamilton and District Slo Pitch Association - Men's Division that their planned tournament August 8-11, 1985 has been cancelled due to a poor response.

- 10. (a) That the following requests for donations to various disaster relief funds be forwarded to the Regional Municipality of Hamilton-Wentworth for its consideration:
  - i. Correspondence requesting the support of municipalities exceeding 50 000 in population to support the donation by the City of Gloucester to the Canadian Red Cross for the victims of the May 31, 1985 tornado in Southern Ontario;
  - ii. Correspondence requesting a donation to the Essex County Flood Disaster Relief Committee for the victims of the flooding by Lake St. Clair, Detroit River and Lake Erie Watershed in April 1985.
- (b) That a policy be established authorizing City staff to refer similar requests for assistance, in kind or financially, to disaster relief funds to the Regional Municipality of Hamilton-Wentworth for its consideration.
- 11. That the additional funding of \$1 300 required (over the original estimate of \$4 000) to reconstruct the four brick pillars on the road allowance at the intersection of Main Street and Barnesdale Boulevard be financed by means of an overdraft in the Sidewalk and Paths Account No. 0352-0461.

**NOTE:** Section 29 of the Fifteenth Report of the Transport and Environment Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.



12. That the estimated amount of \$1 000 required to carry out a legal survey by the Regional Surveyor for the purpose of amending the gasoline station by-law, be charged to the Local Roads Account 0352-0919 "Legal Surveys".

**NOTE:** Section 15 of the Twelfth Report of the Legislation Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

13. That the cost of approximately \$40 to host a reception for the Central Lions Club Senior Citizen's Tour on Thursday, October 10, 1985, be charged to Account No. 0373-1002 "Receptions - City Hall".

**NOTE:** Section 11 of the Twelfth Report of the Legislation Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

14. That \$1 000 be provided from Unclassified Account No. 0378-27XX, to hold the City Hall Open House on Tuesday, September 24, 1985.

**NOTE:** Section 19 of the Twelfth Report of the Legislation Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

15. That the estimated cost of \$70 000 to install storm and sanitary sewers, and watermains, within part of the Hamilton Industrial Park, be financed from the Reserve for Property Purchases, Account No. 0280-02.

**NOTE:** Section 18 of the Twenty-Fourth Report of the Planning and Development Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

16. That Council approve the supply and delivery of the following ice resurfacing equipment at a total cost of \$40 562.10, including applicable taxes, in accordance with the recommendation of the General Manager of Copps Coliseum, in conjunction with the City of Hamilton Director of Purchasing:

Zamboni 520 Ice Resurfacers at a cost of	\$34 721.50
Front V. Plow and Squeegee at a cost of	3 791.60
Advertising Sign Racks at a cost of	340.00
Board Brush	1 500.00
Additional Set of Knives	<u>210.00</u>
<b>TOTAL</b>	<b>\$40 562.10</b>

**NOTE:** Funds in the amount of \$75 000 have been allocated for ice resurfacing equipment.

17. (a) That Council approve the supply and delivery of the Bell Canada Mitel SX 20 Telephone System for the Trade Centre/Arena and the Corporate Department of HECFI, for a cost of \$36 867.57, including applicable taxes and one-time installation, in accordance with the recommendation of the General Manager of Copps Coliseum, in conjunction with the City of Hamilton Director of Purchasing; and



- (b) That a contingency of \$1 500 be allocated for unforeseen costs.

**NOTE:** Funds in the amount of \$80 000 have been allocated for the installation of a telephone system. The Mitel SX 20 system, as outlined in the bid proposal, best fit the immediate requirements; as well, Bell Canada committed the credit of the cost of the recommended system to an upgraded system at a future time.

18. That leave be granted to introduce the following bills:

- (a) Bill F-27 By-law to Authorize an Additional Expenditure in Respect of the Piping System between the Central Utilities Plant and Hamilton Place
- (b) Bill F-28 By-law to Authorize the Replacement of an Ice-Making System at the Inch Park Arena
- (c) Bill F-29 By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. GRAY, CHAIRMAN  
FINANCE COMMITTEE**

R. C. Prowse, Acting Secretary

1985 August 22









## **REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Mayor presents his **FIFTH** Report for 1985 and respectfully recommends:

1. (a) That the following persons be authorized to attend the "Equality Now Update '85 Symposium" to be held at the Faculty of Education, University of Toronto on Saturday, 1985 September 28 at a cost per registration of \$22.00:

Mr. Phemon Ma

Mr. Brian Lewis

- (b) That the Finance Committee recommend the method of financing.
2. That the Mayor's Race Relations Committee solicit the Federal Government to encourage them to actively promote and advertise the recent effectiveness of Section 15 of the Canadian Charter of Rights and Freedoms and to encourage other Race Relation Committees to do the same.
3. For the information of members of City Council, a Subcommittee of the Mayor's Race Relations Committee has been formed to look into the feasibility of hosting a 1986 Equality Conference.

**Respectfully submitted,**

**Mayor Robert M. Morrow**

S. K. Reeder  
Secretary  
1985 August 27



NOTICES OF MOTION





4. (a)

NOTICE OF MOTION - ALDERMAN WM. POWELL

"RESOLVED: that all necessary steps be taken to reinstate  
the Board of Control in the City of Hamilton.  
The Board to be reinstated for the forthcoming  
Municipal Election."



4. (b)

NOTICE OF MOTION - ALDERMAN T. MURRAY

"WHEREAS, the City of Hamilton is presently mundialized with the Cities of Fukiyama, Japan; Mangalore, India; and Shawinigan, Quebec;

AND WHEREAS, there are thousands of Hamiltonians of Italian descent;

THEREFORE BE IT RESOLVED, that the Mundialization Committee consider the possibility of twinning with a City in Italy."





The Corporation of the City of Hamilton

BY-LAW NO. 85-

Respecting:

COLLECTIBLE WASTE

WHEREAS paragraph 83 of section 210 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that a municipality may by by-law establish and maintain a system for the collection, removal and disposal of garbage and ashes and other refuse.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) In this by-law,
- (a) "ashes" includes other solid residue of solid fuel, but does not include non-collectible waste;
  - (b) "City" means the City of Hamilton;
  - (c) "collectible waste" means ashes, garbage and refuse;
  - (d) "Collectible Waste Agreement" means an agreement in writing providing for the collection of collectible waste;
  - (e) "collector" means a person authorized by the City to collect collectible waste;
  - (f) "distinguishable container" means a container identified by colour, shape or words imprinted thereon as visibly different from a regulation container;
  - (g) "garbage" includes,
    - (i) kitchen waste and household waste, including fat and grease;
    - (ii) branches, brush, grass and garden trash;
    - (iii) waste paper comprised of newspapers, magazines, cardboard and other waste paper or paper products;
    - (iv) wearing apparel, cloth material and similar type of garbage;
    - (v) other waste readily capable of consumption by incineration,but does not include non-collectible waste.

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JUN 26 1985

GOVERNMENT DOCUMENTS

- (h) "non-collectible waste" means and includes,
  - (i) manufacturer's or other industrial waste;
  - (ii) celluloid cuttings, moving picture film, oil-soaked or gasoline, of any kind or nature whatsoever;
  - (iii) broken plaster or other waste or residue resulting from any building construction, alteration, repair, demolition or removal;
  - (iv) sawdust, shavings or excelsior;
  - (v) swill and other organic matter not properly drained and wrapped;
  - (vi) liquid waste;
  - (vii) bandages, poultices, dressings and other such like waste;
  - (viii) hay, straw and manure;
  - (ix) night soil or other excreta;
  - (x) any material which has become frozen to the container and cannot readily be removed by shaking;
  - (xi) the carcass of any dog, cat, fowl or other creature or part thereof save bona fide kitchen waste; and
  - (xii) any other waste that is not collectible waste;
- (i) "occupant" means an occupant or premises at the time or during the period collectible waste is put out for collection;
- (j) "owner" means a person who is the owner of the premises according to the last revised assessment roll or who is the registered owner;
- (k) "person in charge of a premises" means a person normally or ordinarily having charge or care or control of the premises, as the case may be, at the time or period collectible waste is collected by a collector;
- (l) "refuse" includes glass, crockery, metal cans, metal containers, scrap metal, except waste metal from an industrial process and other objects but does not include non-collectible waste;

(m) "regulation container" means,

- (i) a metal container,
  - A. tapered to be larger at the top and fitted with suitable handles and a tight fitting cover; and
  - B. having a capacity of not less than 10 gallons and not more than 20 gallons that is readily capable of holding 50 pounds weight of ashes or garbage without danger of breaking; and
  - C. that is otherwise suitable for the purpose of containing ashes, garbage and refuse, but not including a cardboard carton, oil drum, paint can, lard can or other such container;
- (ii) a disposable plastic bag,
  - A. having a thickness of at least 1 1/2 thousandths of an inch; and
  - B. having a capacity of not more than 2 3/4 cubic feet capable of holding 50 pounds of garbage or refuse without danger of breaking or bursting;
- (iii) a disposable paper bag,
  - A. having a thickness of at least two-ply; and
  - B. having a capacity of not more than 2 3/4 cubic feet capable when wet of holding 50 pounds of garbage or refuse without danger of breaking or bursting;
- (iv) other disposal container for garbage or refuse except a cardboard box satisfactory to the Director of Public Works, having a strength of construction and a capacity of not less than a disposable plastic bag or a disposable paper bag, but in the case of compacted garbage from apartments, the container having a capacity of not less than 3 cubic yards.

(2) Every container or regulation container shall be suitable for the purpose of its intended use having regard to the ashes, garbage and refuse to be contained therein.

(3) For the purpose of subsection 2, "suitable" when used in reference to a container or regulation container means a container of the type, construction, material or composition and capacity that does not break, burst or otherwise allow collectible waste to seep out, fall out or litter or scatter during collection and does not constitute a hazard to the collector.

#### Preparation of Waste

2. Every occupant or person in charge of a premises or other person putting out collectible waste for collection by a collector and every occupant or person in charge of a premises respecting which collectible waste is put out for collection by a collector shall comply with or ensure compliance with the following regulations:

1. The regulation container shall be removed from public property on the same day the collectible waste is collected.
2. Only collectible waste shall be put out for collection.
3. Only collectible waste that is fully drained shall be put out for collection.
4. Collectible waste shall be put out in bundles or suitable regulation containers, having regard to the type, nature, physical condition and quantity of the waste.
5. Every bundle or loaded regulation container shall not exceed 50 pounds in weight.
6. Ashes shall be cold and placed in a separate suitable regulation container containing no other collectible waste.
7. Each of the following refuse shall be placed in a separate suitable distinguishable container containing no other collectible waste:
  - (i) glass;
  - (ii) metal cans.
8. Garbage comprised of newspapers shall be separately and securely tied up into solid compact bundles containing no other collectible waste.



9. Garbage comprised of wearing apparel, cloth material and similar type of garbage shall be separately and securely tied in self-contained bundles not more than four feet in length and containing no other collectible waste.
10. Garbage comprised of branches of trees, except Christmas trees put out for the first and second collection in January in each year, shall be stripped and shortened.
11. Garbage comprised of branches of trees referred to in paragraph 10, brush and garden trash shall be tied up into compact bundles not more than four feet in length and containing no other collectible waste.
12. Garbage comprised of kitchen waste and household waste except as provided in paragraph 13, shall be free of surplus moisture and be securely wrapped or contained so as not to be in danger of bursting or scattering content and placed in a regulation container containing no other kind of garbage and no ashes or refuse.
13. All garbage comprised of household fat and grease shall be contained in a disposable metal can separate from and containing no other collectible waste.
14. The number of regulation containers and the weight of ashes, garbage and refuse shall not exceed,
  - (a) in the case of a dwelling or multiple dwelling, nine containers containing not more than four hundred and fifty pounds for each family;
  - (b) in the case of a store or a shop, twelve containers containing not more than six hundred pounds;
  - (c) in the case of any other premises, a reasonable number of containers and a reasonable weight but not exceeding fifteen containers containing not more than seven hundred and fifty pounds, in any event.
15. For normal daytime collection, all collectible waste shall be put out after seven o'clock in the afternoon of the day previous to the collection day and before seven o'clock in the forenoon of the collection day.

16. Where collection is a night-time collection, all collectible waste shall be put out after 11:00 o'clock in the forenoon on the day previous to the collection day and before 11:00 o'clock in the afternoon on the day previous to the collection day.
17. All collectible waste put out for collection shall be placed clear of the roadway but not more than three feet therefrom except,
  - (a) where such a location is dangerous or inconvenient, the collectible waste may be placed in another suitable location on the premises which is convenient to collectors;
  - (b) where a through driveway exists at any commercial premises or multiple dwelling premises, the collectible waste may be placed at another location on the premises in accordance with a Collectible Waste Agreement.

#### Collection of Collectible Waste

3. (1) Except as otherwise provided in this by-law, collectible waste shall be collected by the City.
  - (2) Nothing in this by-law shall obligate the City to collect collectible waste deemed by the City to be hazardous to a collector.
4. The City may appoint collectors and may require a collector to enter into one or more agreements upon such terms and conditions as the City may require.
5. Collectible waste will be collected once each week when prepared for and put out for collection in accordance with the requirements of section 2 and on the days and times according to the district, as advised in writing or as advertised from time to time in a newspaper of general circulation in the City.
6. No collectible waste put out for collection may be collected unless the occupant or person in charge of the premises complies with section 2.
7. No collectible waste shall be put out by an occupant, person in charge or owner, for collection within a building or hoist or in such a manner as to cause the use of stairs or other means of ingress or egress by a collector.
8. No collector shall enter any building or hoist or ascend or descend any stairs for the purpose of collecting collectible waste.
9. No collector shall receive any gratuity for services rendered in the collection of collectible waste or non-collectible waste or the disposal of the waste.

10. Where compaction facilities exist on the premises of a multiple dwelling and prior approval of the Transport and Environment Committee of the City is obtained in writing by the occupant, person in charge or owner for collection of collectible waste from the premises, collection of compacted garbage will be collected from the multiple dwelling twice per week and section 2 does not apply except regulations 2, 3, 4, and 6.

11. The City may enter into a Collectible Waste Agreement with an owner or any other person upon such terms and conditions as the City may require.

12. Nothing in this by-law shall obligate the City to enter into a Collectible Waste Agreement.

#### Non-Collectible Waste

13. Every person from whose premises non-collectible waste is produced or available, shall cause the waste to be collected.

14. Nothing in this by-law shall obligate the City to collect non-collectible waste.

#### Miscellaneous Prohibitions

15. No person shall put out for collection, or deposit or leave in or near any street or in any place to which children might have access, or allow to be put out or left in any such place, any refrigerator, ice-box, trunk or other container in which a child could become entrapped, without removing the fastenings of the door or lid, and otherwise rendering it incapable of trapping a child within it.

16. No person who is not a collector shall collect, pick up, remove, disturb or interfere with collectible waste put out for collection by any person.

17. No person shall put out non-collectible waste for collection by a collector.

18. No person shall mix, aggregate or include non-collectible waste with collectible waste for collection by a collector.

19. No person shall put out non-collectible waste for collection by any other person, except for the premises respecting which the non-collectible waste is produced.

20. No person shall put out non-collectible waste for collection by any person on a common and public highway, street and boulevard.

21. No person shall convey or cause to be conveyed on any street, any swill, liquid waste or waste of an offensive nature, except in a vehicle suitably constructed for such purpose, and properly covered.

**Penalties**

22. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine of not more than \$2,000.

**Repeal**

23. By-law No. 66-182, as amended by By-laws Nos. 68-356, 69-106, 70-104, 70-119, 70-231, 73-39, 81-161 and 81-218, is repealed.

DATED this                      day of                      A.D. 1985.

City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Streets By-law No. 9329

Respecting:

AGREEMENTS FOR THE PLACING OF  
PRINT MEDIA VENDING OR DISTRIBUTION BOXES

WHEREAS section 11a of By-law No. 9329, as enacted by section 1 of By-law No. 84-40, passed on the 29th day of February, 1984, in accordance with paragraph 3 of section 309 of The Municipal Act, R.S.O. 1980, Chapter 302, provided for permission upon such terms and conditions as may be agreed upon to place one or more print media vending or distribution boxes on a sidewalk or a highway;

AND WHEREAS the said section 11a provides for (amongst other things) the entering into of an agreement and amending agreement satisfactory to the City, with the owner, as defined in the by-law;

AND WHEREAS it is desirable to delete a reference to "amending agreement" so as to provide for all necessary contingencies as to locations and changes of location in the original agreement, instead of an "amending agreement" for each change of location inasmuch as locations change rapidly and amending agreements are not practically feasible for each change of location;

AND WHEREAS it is desirable that permission to chain, fasten or affix a vending or distribution box to a building or structure or fixture shall be allowed only with the written permission of the owner or other person satisfactory to the Commissioner of Transportation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 9329 is amended by adding the following thereto:

(ba) "Commissioner of Transportation"  
means the Commissioner of Transportation of The Regional Municipality of Hamilton-Wentworth;

2. Section 11a of the said by-law, as enacted by section 1 of By-law No. 84-40, is amended by striking out "Commissioner of Engineering" wherever the words appear and inserting in lieu thereof "Commissioner of Transportation".

3. Clause 11a(1)(a) of By-law No. 9329, as enacted by section 1 of By-law No. 84-40, is amended by striking out "and amending agreement" in the first and second lines.

4. Subsection 11a(4) of the said by-law is repealed and the following substituted therefor:

(4) For the purpose of clause (c) of paragraph 2 of subsection 2, "owner" means an owner or registered owner or other person satisfactory to the Commissioner of Transportation.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

TO WIDEN TEMPLEMEAD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Templemead Drive, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Templemead Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 27th day of August, A.D. 1985.

City Clerk

Mayor

(1985] 11 R.T.E.C. 1, June 25

SCHEDULE "A"

Part of Lot 5, Concession 8  
geographic Township of Barton  
being Part 1, Plan 62R-  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
Registry Division of Wentworth (No. 62)



By-law No. 85 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Charles	Northbound	Hurst
Brookstream	Eastbound	Glen Vista".

2. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following items, namely:-

"Burland (north leg)	South	commencing at a point 192 feet west of Parkdale to a point 204 feet westerly therefrom
Weir	East	Main to 80 feet north".

and by deleting therefrom the following item, namely:-

"Jackson	North	commencing at a point 218 feet east of Catharine to a point 83 feet easterly therefrom".
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PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 15 R.T.E.C. 30, August 27

By-law No. 85 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25A (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"East 25th	Both	Crockett to Queensdale".
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2. Schedule 26 (No Parking Areas) is hereby amended:-

(a) by adding to Section A (No Parking Anytime) the following items, namely:-

"Jackson Weir	North East	Catharine to 45 feet east commencing at a point 80 feet north of Main to a point 37 feet northerly therefrom
Dunsmure	North	commencing at a point 87 feet east of Ottawa to a point 24 feet easterly therefrom
Ferguson West 3rd Summercrest	West West East	Cannon to Barton Wembley to 68 feet southerly Greenhill to 50 feet northerly".

and by deleting therefrom the following items, namely:-

"Weir Jackson Ferguson	East North West	Main to 117 ft. north Catharine to 50 ft. east Cannon to 365 ft. northerly".
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(b) by deleting from Section C (No Parking, 7:00 a.m. - 6:00 p.m.) the following item, namely:-

"Burton	Both	Victoria to 300 ft. east".
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3. Schedule 27A (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"Burton Street Emerald Street North to 350' east of Victoria Avenue North	North	South".
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and by adding thereto the following item, namely:-

"Burton Street Emerald to Victoria	North	South".
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PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 15 R.T.E.C. 30, August 27

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

**WHOLESALE ESTABLISHMENTS**  
**("JJ" and "KK" District Regulations)**

WHEREAS General Zoning By-law No. 6593 was enacted on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

AND WHEREAS it is intended to add a principal use to the list of uses in section 16A - "JJ" (Restricted Light Industrial) district and in 17A - "KK" (Restricted Heavy Industrial) district.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 16A(1) of By-law No. 6593 is amended by adding thereto the following clause:

(eca) a wholesale establishment;

2. Subsection 17A(1) of the said by-law is amended by adding thereto the following clause:

(bb) a wholesale establishment;

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF RYMAL ROAD WEST AT GARTH STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "DE" (Low Density Multiple Dwellings) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 10A  
(1) of By-law No. 6593, the  
following,

(i) ACCESSORY USE shall not be  
prohibited:

1. A business identification  
sign that is a ground sign  
accessory to commercial  
uses, that complies with  
the following requirement:

A. No sign shall be more  
than 5.0 m. in height  
from grade, and more  
than 4.0 m. wide;

(b) notwithstanding subparagraph (a)  
of paragraph 7 of section 2 of  
By-law No. 79-226, the ground  
sign referred to in paragraph 1  
of subclause 1(a)(i) of this by-  
law, shall not be situated less  
than 3.0 m. to the front lot line.



2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-664c".

4. Sheet No. W-17E of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-664c".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this

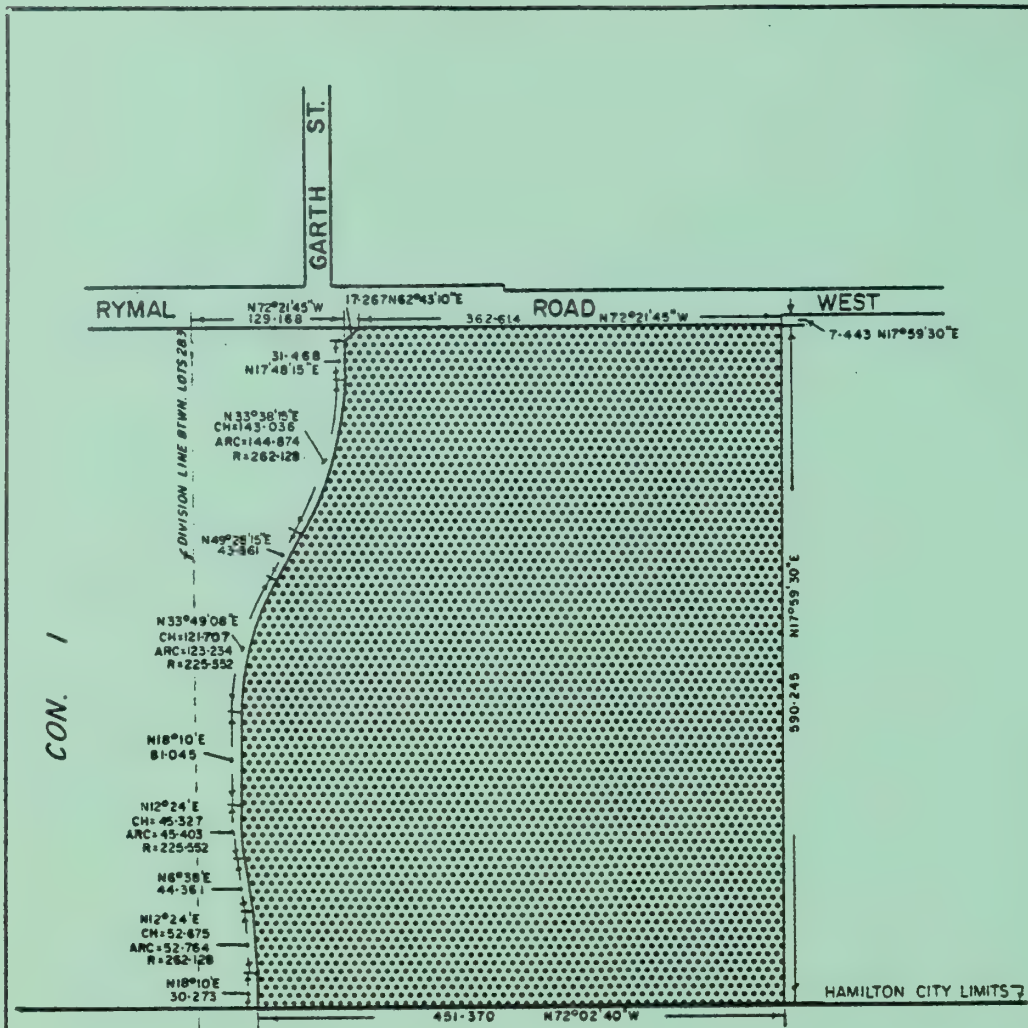
day of

A.D. 1985.

City Clerk

Mayor

(1985) 18 R.P.D.C. 3, June 25  
St. Elizabeth Home Society of Hamilton, Owner  
ZA-85-33



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

CITY OF HAMILTON  
SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED BY BY-LAW  
NO.85 -

North



Scale  
N. T. S.

Date  
85-06-24

Reference File No.  
ZA 85-33

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Adopt:

Official Plan Amendment No. 31

Respecting:

LANDS LOCATED ON THE EAST AND WEST SIDES OF UPPER WENTWORTH STREET  
BETWEEN MOHAWK ROAD EAST AND LIMERIDGE ROAD EAST

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 31 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 6(A), July 30  
ZA-80-66; ZA-80-82; ZA-83-59; CI-85-G

AMENDMENT NO. 31 TO THE CITY OF  
HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedules "A" and "B" hereto, constitute Amendment No. 31.

PURPOSE

The purpose of this Amendment is to incorporate in the Official Plan two schedule changes and one special policy area, in accordance with the recently revised Bruleville and Thorner Neighbourhood Plans.

LOCATION

The lands affected by this Amendment are located on the east and west sides of Upper Wentworth Street between Mohawk Road East and Limeridge Road East.

BASIS

The Amendment is intended to provide the basis for:

- the rezoning of certain lands on the west side of Upper Wentworth Street to commercial; and
- the introduction of a Special Policy Area for certain lands on both sides of Upper Wentworth Street to limit the range of commercial uses and the number of vehicular access points.

The changes are based on the reports and other documentation contained in the Appendices of this Amendment.

ACTUAL CHANGES

- i) The following new policy be added to Subsection A.2.9.3, other Policy Areas as Policy A.2.9.3.28:

Notwithstanding the permitted uses set out in Subsection A.2.2 (Commercial Uses), for those lands shown on Schedule "B" as SPECIAL POLICY AREA 33, high traffic generating commercial and public uses, such as restaurants and other places of assembly, will be prohibited. Further, it is intended that the number of new vehicular accesses onto Upper Wentworth Street from the affected lands will be limited.

- ii) Schedule "A" of the Official Plan (Land Use Concept), as amended, will be further amended to redesignate the subject lands from Residential to Commercial, as shown on the attached map, being Schedule "A" of this Amendment; and



iii) The following to be added to Schedule "B"  
(Special Policy Areas):

- "Special Policy Area 33"; and
- "Area 33 refer to Policy A.2.9.3.28" in the legend ;

as shown on the attached Schedule "B" to this  
Amendment.

IMPLEMENTATION

A Zoning by-law will give effect to the intended use of  
the subject lands.

This is Schedule 1 to By-law No.  
day of

passed on the

THE CORPORATION OF THE CITY OF HAMILTON

---

City Clerk

---

Mayor

**schedule A  
amendment no. 31**

to the  
official plan  
for the  
city of Hamilton

**legend**  
From "Residential" to  
"Commercial"

date	drawn by	reference file no.
August 1995		6-2-31

J-22

**land use concept**

**legend**

\*  
sub regional centre

**schedule A**  
to the official plan  
for  
the city of Hamilton



DEFERRED NO. D. 2  
UNDER SECTION 110 OF  
THE PLANNING ACT

J-22

DEFERRED NO. D. 2  
UNDER SECTION 110 OF  
THE PLANNING ACT

DEFERRED NO. D. 6  
UNDER SECTION 110 OF  
THE PLANNING ACT

# schedule B amendment no. 31

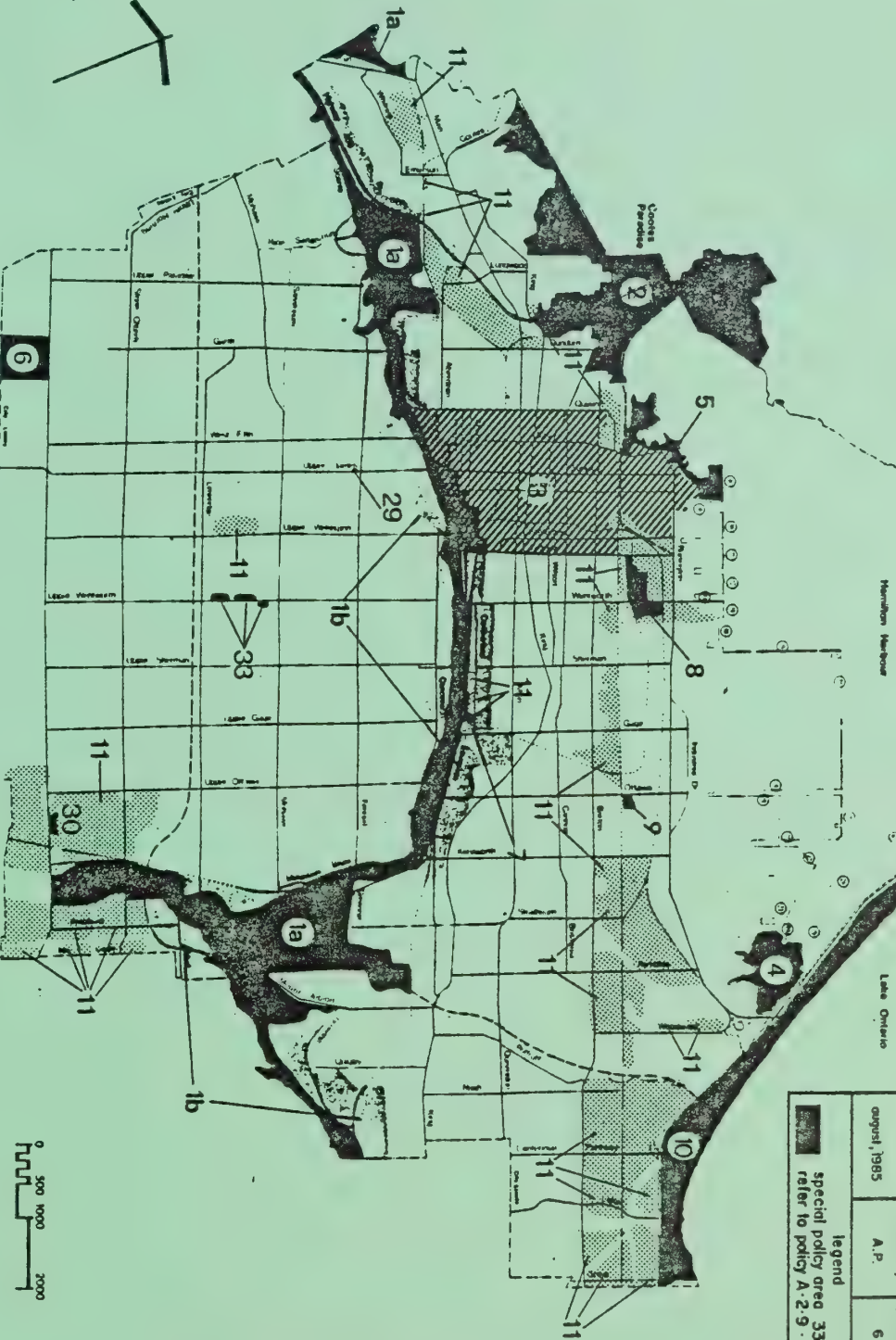
to the  
official plan  
for the  
city of hamilton

date  
august, 1985

drawn by  
A.P.

reference file no  
6-2-31

legend  
special policy area 33  
refer to policy A-2.9-3.28



0 500 1000 2000  
Scale in metres

## special policy areas

legend



- Area 1 (a) refer to Subsection A.2.9.1
- Area 1 (b) " " A.2.9.1
- Area 2 " " A.2.9.2
- Area 3 " " A.2.9.3, policy 2.9.3.1
- Area 4 " " Policy 2.9.3.2
- Area 5 " " 2.9.3.3
- Area 6 " " 2.9.3.4
- Area 7 " " 2.9.3.5
- Area 8 " " 2.9.3.6
- Area 9 " " 2.9.3.7
- Area 10 " " 2.9.3.8
- Area 11 " " 2.9.3.9
- Area 16 " " 2.9.3.14
- Area 17 " " 2.9.3.15
- Area 29 " " 2.9.3.24
- Area 30 " " 2.9.3.25
- Area 33 " " 2.9.3.28

Refer to Schedule B-1 for Special Policy Areas in the Downtown

## schedule B to the official plan for the city of hamilton

may 1985

7-23



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NUMBERS  
273 and 279 EAST AVENUE NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 10(1) of By-law No. 6593, the following

(i) ACCESSORY USE shall not be prohibited:

1. A business office accessory to the warehouse existing on the day this by-law is enacted;

(b) the business office shall not occupy more than 10% of the gross floor area of the warehouse.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-172a" and "S-437a".



4. Sheet No. E-12 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-172a" and "S-437a".

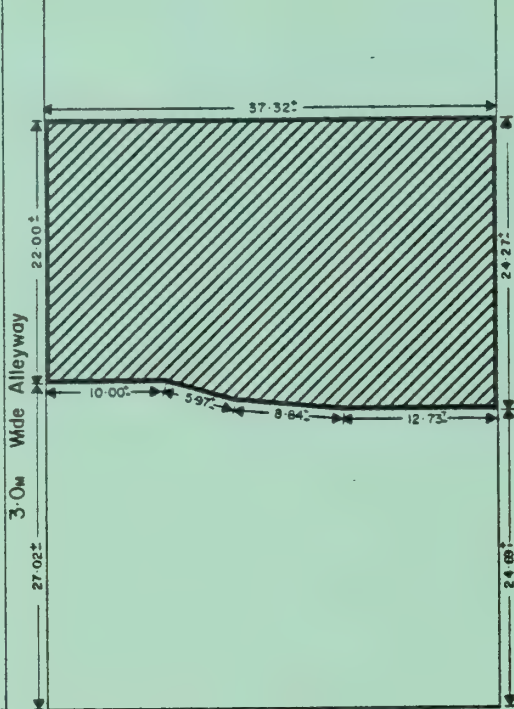
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 5, July 30  
Keith Cody, Owner  
ZA-85-44



BARTON STREET EAST

EAST AVE. NORTH

NOTE: All Dimensions Are in Metres.

THIS IS SCHEDULE 'A' TO BY-LAW No. \_\_\_\_\_

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

## CITY OF HAMILTON

### SCHEDULE "A"

MAP FORMING PART OF

BY-LAW No. \_\_\_\_\_

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

#### Legend



LOCATION OF LANDS TO BE  
REGULATED BY BY-LAW No.  
85-

North



Scale  
N. T. S.

Date  
July 1985

Reference File No.  
ZA-85-44

Drawing No.  
85-H-97

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 201 FERGUSON AVENUE SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "J" (Light and Limited Heavy Industry, etc.) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A" are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 16(1) of By-law No. 6593, the following

(i) RESIDENTIAL USE shall not be prohibited:

1. A single-family dwelling that complies with the provisions of section 10 of By-law No. 6593.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "J" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-920".

4. Sheet No. E-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-920".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

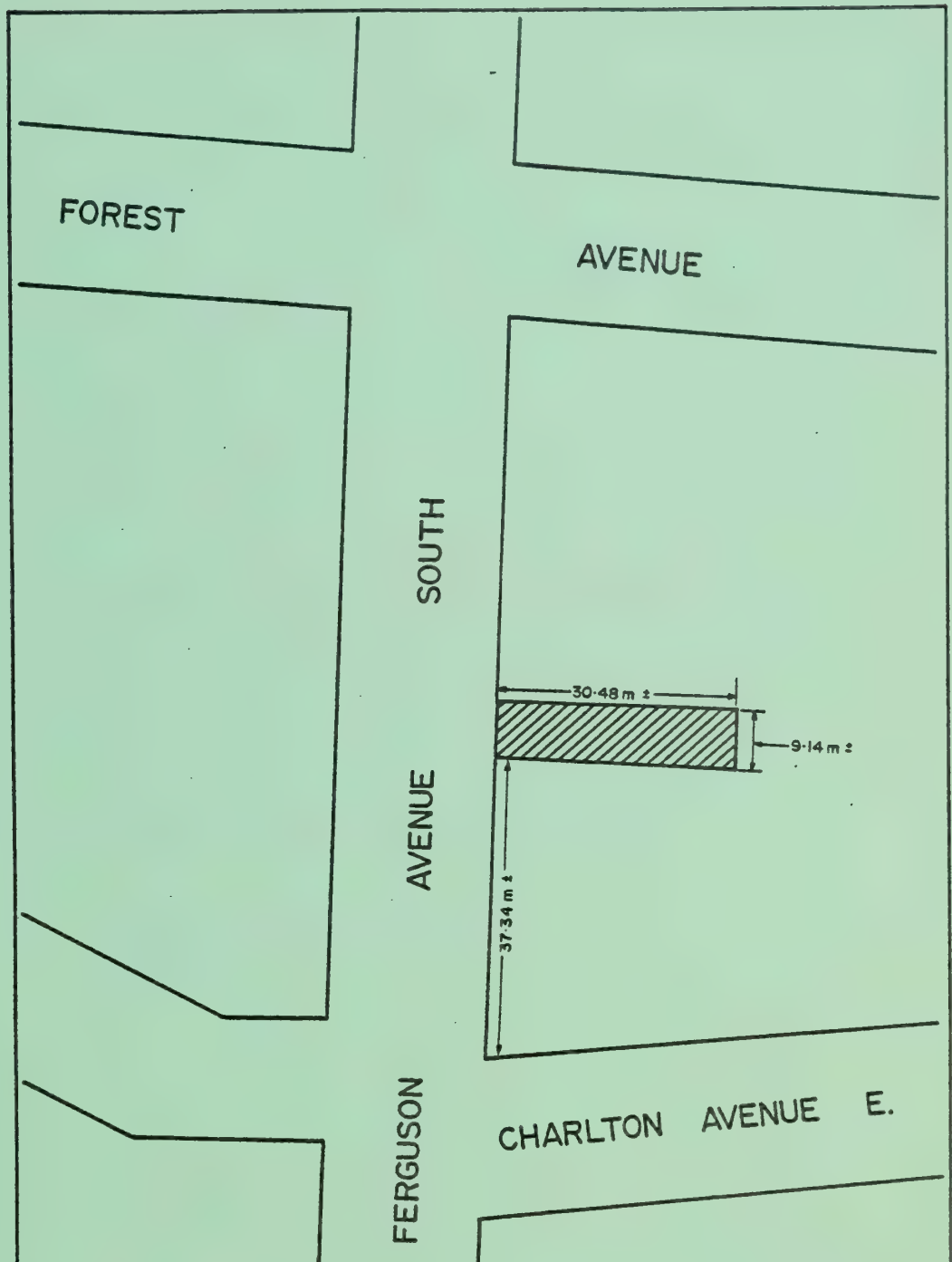
PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 2, July 30  
Bernard James Tompkins, Owner  
ZA-85-46





THIS IS SCHEDULE 'A' TO BY-LAW No. 85 -  
PASSED THE DAY OF

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Clerk

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Mayor

# CITY OF HAMILTON

## SCHEDULE 'A'

MAP FORMING PART OF

BY - LAW No. 85 -

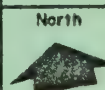
TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



LANDS TO BE REGULATED BY  
BY-LAW No. 85 -



North

Scale  
N. T. S.

Date  
July 1985

Reference File No.  
ZA-85-46

Drawing No.  
85-H-105

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1179 UPPER SHERMAN AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

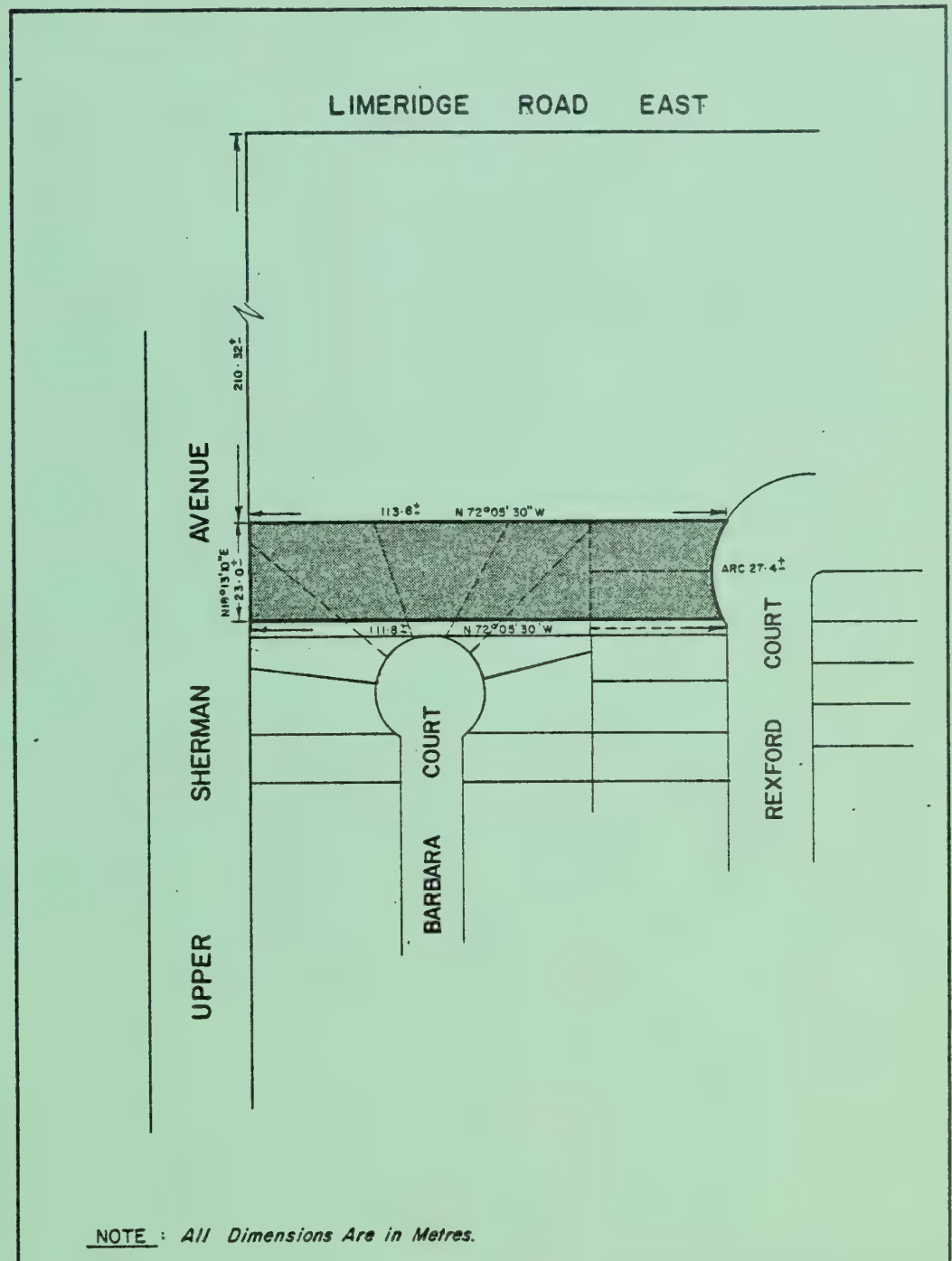
PASSED this

day of

A.D. 1985.

City Clerk

Mayor



NOTE : All Dimensions Are in Metres.

THIS IS SCHEDULE 'A' TO BY-LAW No. \_\_\_\_\_

PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON

## SCHEDULE "A"

MAP FORMING PART OF

BY-LAW No. \_\_\_\_\_

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



Change in zoning from "AA"  
(Agricultural) District to "C"  
(Urban Protected Residential, etc.)  
District.

North



Scale  
1:1,250

Reference File No.  
ZA-85-45

Date  
July 1985

Drawing No.  
85-H-104

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 32-120 and 167-265 POTTRUFF ROAD NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "B-1" (Suburban Agriculture and Residential, etc.) District provisions applicable to the lands located at Municipal Nos. 32-120 Pottruff Road North, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding clause 8A(3)(i) of By-law No. 6593, there shall be provided and maintained a front yard having a depth of at least the same depth as existed for any building or structure on the day of the passing of this by-law, except that where a building or structure is proposed to be erected on a vacant lot between buildings on adjoining lots, a front yard shall be provided and maintained of a depth that is not less than the greater of the existing front yards for either of the adjoining lots.

2. The "B" (Suburban Agriculture and Residential, etc.) District provisions applicable to the lands located at Municipal Nos. 167-265 Pottruff Road North, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A-1", are amended to the extent only of the special requirement that,

- (a) notwithstanding clause 8(3)(i) of By-law No. 6593, there shall be provided and maintained a front yard having a depth of at



least the same depth as existed for any building or structure on the day of the passing of this by-law, except that where a building or structure is proposed to be erected on a vacant lot between buildings on adjoining lots, a front yard shall be provided and maintained of a depth that is not less than the greater of the existing front yards for either of the adjoining lots.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-1" and "B" District provisions, subject to the special requirements referred to in sections 1 and 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-923".

5. Sheets No. E-94 and E-95 of the District Maps are amended by marking the lands referred to in section 1 and section 2 of this by-law, "S-923".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this

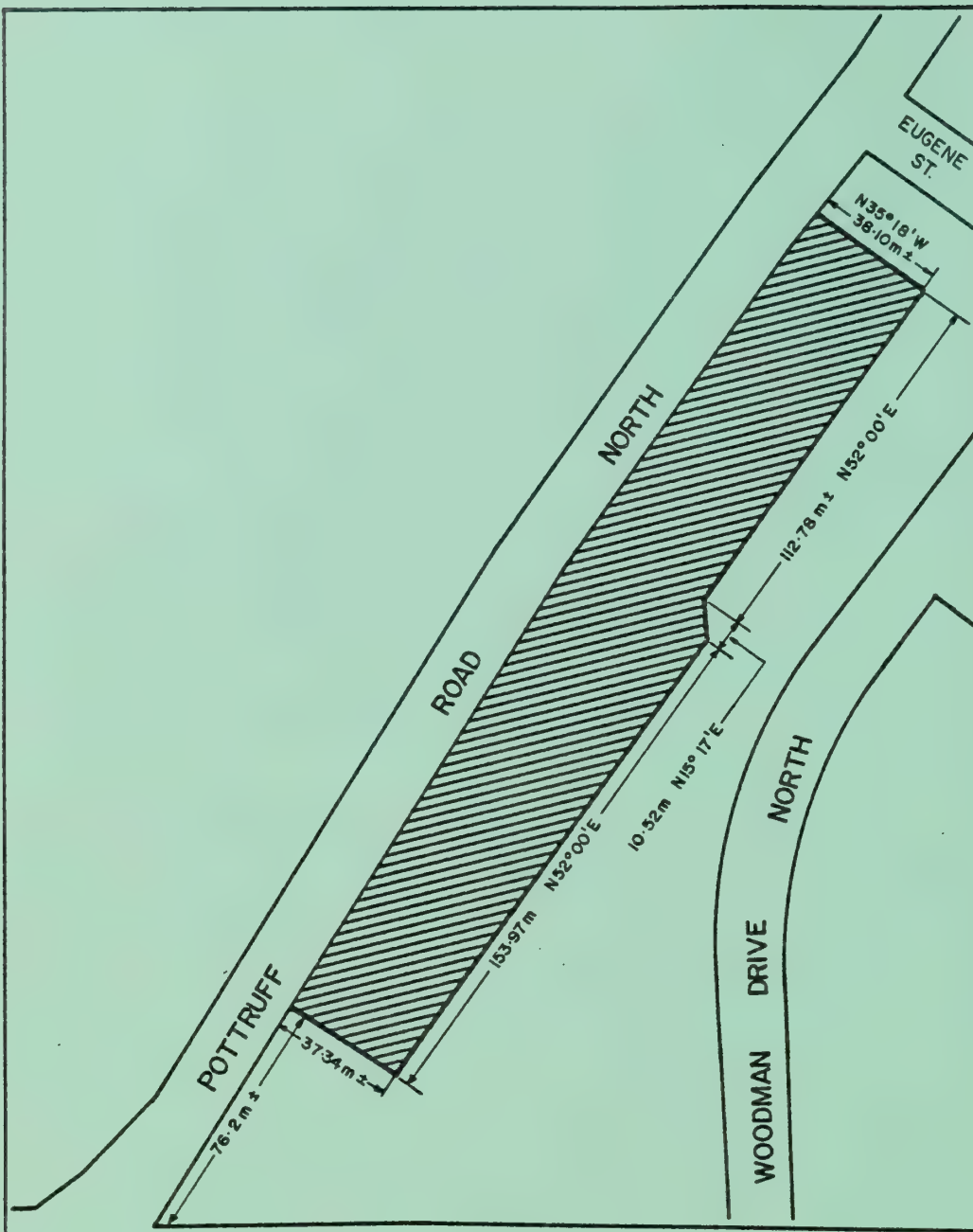
day of

A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 10, July 30  
City Initiative 85-I



QUEENSTON

ROAD

THIS IS SCHEDULE 'A' TO BY-LAW No. 85  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

CITY OF HAMILTON

SCHEDULE 'A'

MAP FORMING PART OF

BY - LAW No. 85 -

TO AMEND BY - LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED BY  
BY - LAW No. 85 -

North

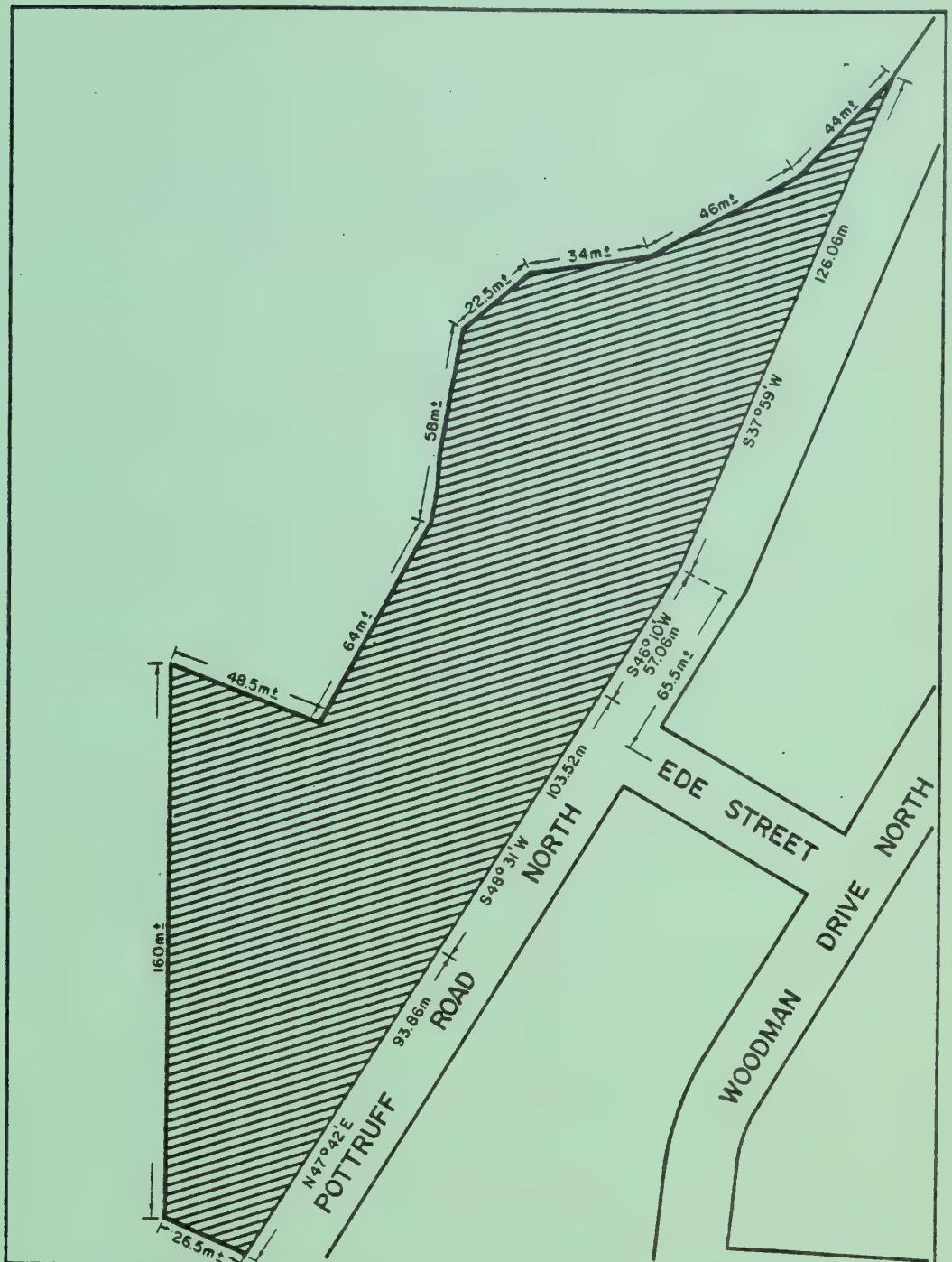


Scale  
N.T.S.

Date  
July 1985

Reference File No.  
C.I. 85 - 1

Drawing No.  
85 - H-109



THIS IS SCHEDULE 'A-1' TO BY-LAW No. 85-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**CITY OF HAMILTON  
SCHEDULE 'A-1'**

MAP FORMING PART OF

**BY-LAW No. 85-**

TO AMEND BY-LAW No. 6593

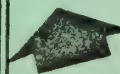
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



LANDS TO BE REGULATED BY  
BY-LAW No. 85-

North



Scale

N.T.S.

Date

July 1985

Reference File No.

C.I.85 - 1

Drawing No.

85 - H - 110

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE WEST SIDE OF UPPER WENTWORTH STREET,  
BETWEEN MOHAWK ROAD EAST AND LIMERIDGE ROAD EAST,  
IN THE VICINITY OF KINGFISHER DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-18 and E-18A of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district, "C" (Urban Protected Residential, etc.) district and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "HH" (Restricted Community Shopping and Commercial) district, the land comprised in Block 2; and
- (b) by changing from "AA" (Agricultural) district and "B-1" (Suburban Agriculture and Residential, etc.) district to "HH" (Restricted Community Shopping and Commercial) district, the land comprised in Block 3; and
- (c) by changing from "C" (Urban Protected Residential, etc.) district and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "HH" (Restricted Community Shopping and Commercial) district, the land comprised in Block 4

the extent and boundaries of each of which Blocks 2, 3 and 4 are shown on a plan hereto annexed as schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,



(a) notwithstanding subsection 14A(1) of By-law No. 6593, the following,

(i) PUBLIC USES shall be prohibited:

1. The uses referred to in clause 11(1)(viii) of By-law No. 6593;

(ii) COMMERCIAL USES shall be prohibited:

1. The uses referred to in clause 13(1)(vii) of By-law No. 6593.
2. An auctioneer's premises referred to in clause 14(1)(xiv) of By-law No. 6593.
3. The uses referred to in clauses 14A(1)(ca) and (cb) of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-922".

5. Sheets No. E-18 and E-18A of the District Maps are amended by marking the lands referred to in section 1 of this by-law, "S-922".

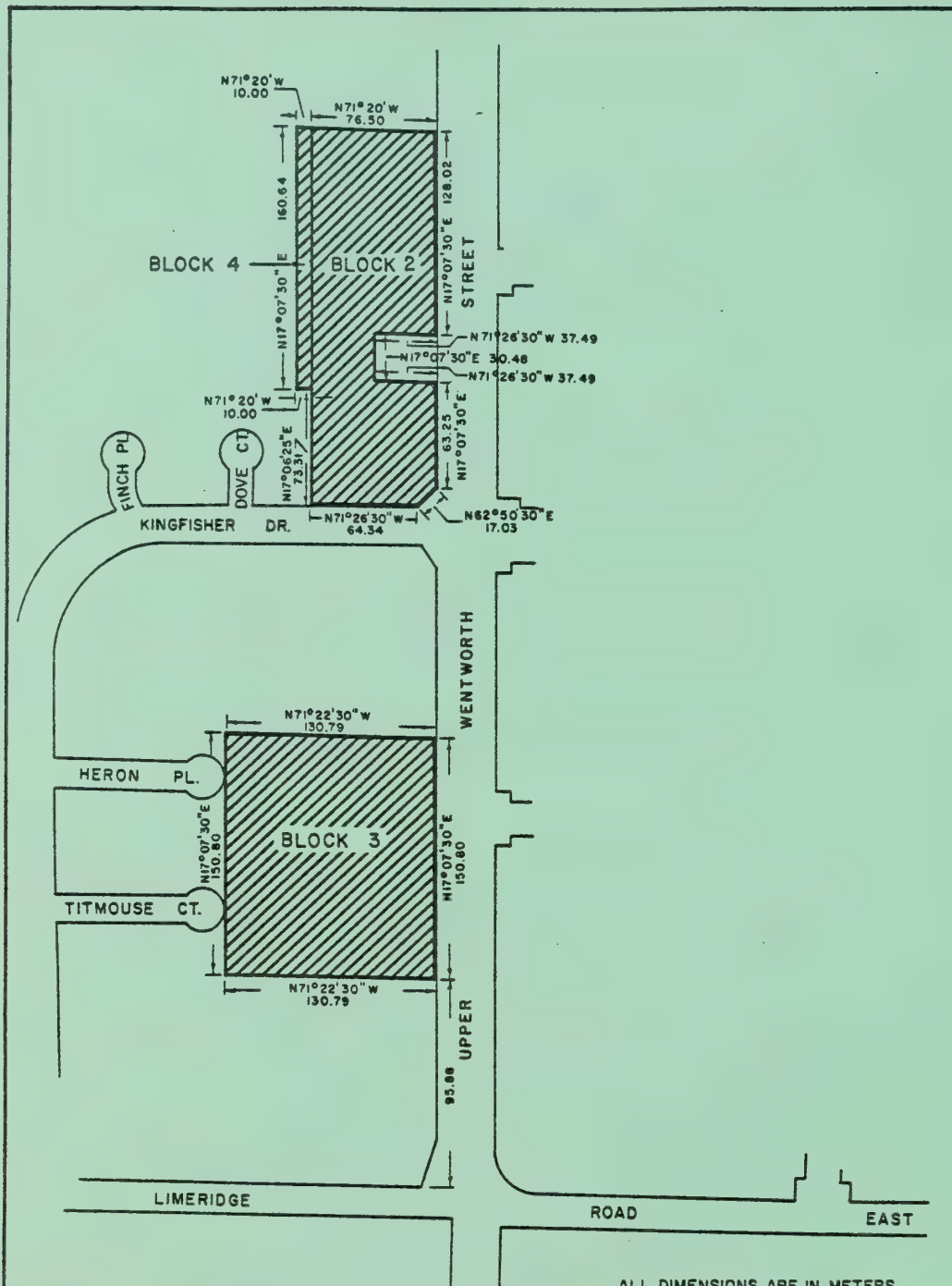
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 6(B)(ii,iii,iv), July 30  
Isabelle Forster, Owner and authorized  
adjoining property owners (ZA-80-66)  
Abbotsford Homes Limited, Owner (ZA-80-82)  
L. Patrick, B. Brown, Owners (ZA-83-59)  
City Initiative 85-G



ALL DIMENSIONS ARE IN METERS

THIS IS SCHEDULE "A" TO BY-LAW No. 85-  
PASSED THE DAY OF

Clerk

Mayor

# CITY OF HAMILTON SCHEDULE 'A'

MAP FORMING PART OF

BY-LAW No. 85-

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend

- BLOCK 2** CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT, "C" (URBAN PROTECTED RESIDENTIAL ETC.) DISTRICT AND "D" (URBAN PROTECTED RESIDENTIAL-ONE AND TWO FAMILY DWELLINGS ETC.) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.
- BLOCK 3** CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT AND "B-1" (SUBURBAN AGRICULTURAL AND RESIDENTIAL, ETC.) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.
- BLOCK 4** CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT AND "D" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, ETC.) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.

North



Scale

N.T.S.

Reference File No.  
ZA-80-66, ZA-80-82  
ZA-83-59, C.185-G

Date

AUG. 1985

Drawing No.

85-H-114

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NUMBERS  
841 and 849 UPPER WENTWORTH STREET AND REAR LAND

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet Number E-27 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "HH" (Restricted Community Shopping and Commercial) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 14A(1) of By-law No. 6593, the following,

- (i) PUBLIC USES shall be prohibited:

- 1. The uses referred to in clause 11(1)(viii) of By-law No. 6593;

- (ii) COMMERCIAL USES shall be prohibited:

- 1. The uses referred to in clause 13(1)(vii) of By-law No. 6593.

2. An acutioneer's premises referred to in clause 14(1)(xiv) of By-law No. 6593.
3. The uses referred to in clauses 14A(1)(ca) and (cb) of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-924".

5. Sheet Number E-27 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-924".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

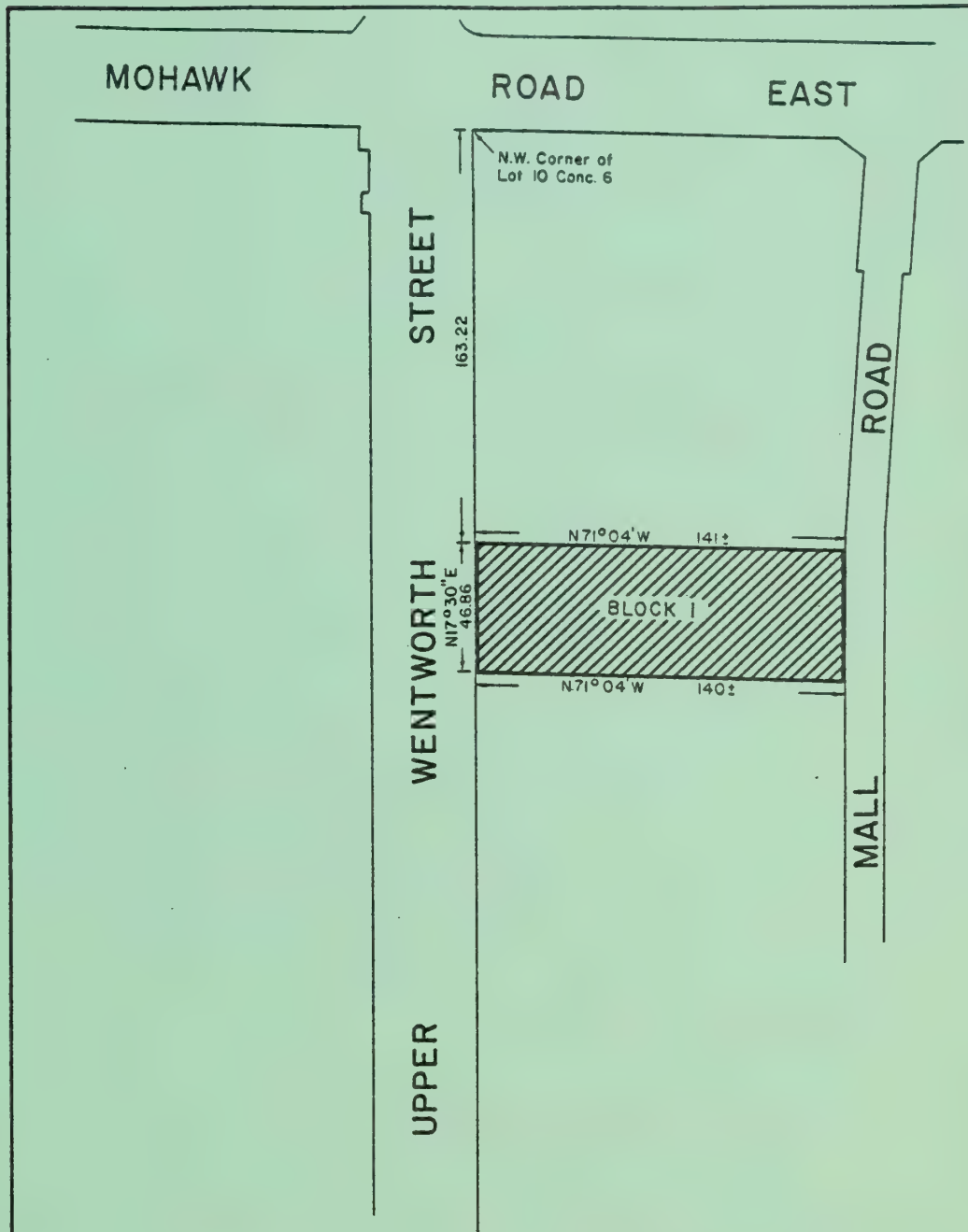
PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 6(B)(i), July 30  
Gordon Allan Eaton & Mary Olive Eaton, Owners (ZA-80-70)  
E. Monkley, Owner (ZA-80-79)  
City Initiative 85-J





ALL DIMENSIONS ARE IN METERS

THIS IS SCHEDULE "A" TO BY-LAW No. 85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

# CITY OF HAMILTON SCHEDULE 'A'

MAP FORMING PART OF

BY-LAW No. 85-

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend

**BLOCK I**  
 CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.

North



Scale  
N.T.S.

Date  
AUG. 1985

Reference File No.  
ZA-80-70 ZA-80-79  
& C.I.85-3.

Drawing No.  
85-H-113

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

By-law No. 84-252

Respecting:

CONVEYANCE OF LAND FOR PARK PURPOSES

WHEREAS By-law No. 84-252, passed on the 27th day of November, 1984, in accordance with section 41 of The Planning Act, 1983, requires conveyance of land for park purposes or money to the value of the land as a condition of development or redevelopment;

AND WHEREAS clause 1(c) of By-law No. 84-252 defines development as follows:

(c) "development" means,

- (i) the construction, erection or placing of one or more buildings or structures on land; or
- (ii) the making of an addition or alteration to or within a building or structure that has the effect of increasing the number of dwelling units or the size of the useability of the building or structure;

AND WHEREAS it is desirable that an increase in the size or useability of a building or structure not be considered as development.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subclause 1(c)(ii) of By-law No. 84-252 is amended by striking out "or the size of the useability of the building or structure" at the end thereof.

PASSED this

day of

A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 250 JAMES STREET SOUTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 250 James Street South and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

SCHEDULE "A"

To

By-law No. 85-  
250 James Street South,  
Hamilton, Ontario

ALL AND SINGULAR that certain parcel of land and premises situate lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth (formerly the County of Wentworth) and being composed of all of Lot Number Fifty-five (55) and the southerly four feet (4') throughout from front to rear of Lot Number Fifty-four (54) situated on the northwest corner of James and Herkimer Streets in the said City and being in the last survey of Lots made for Peter H. Hamilton, Plan 1270 in the said City in block bounded by James, Herkimer and MacNab Streets and Charlton Avenue which may be more particularly described as follows:

COMMENCING at the point of intersection of the westerly limit of James Street with the northerly limit of Herkimer Street in the said City of Hamilton;

THENCE northerly along the westerly limit of James Street Sixty feet (60') to a point;

THENCE westerly and parallel to Herkimer Street a distance of one hundred and eighteen feet six inches (118' 6") to a point on the westerly limit of said Lot Number Fifty-four;

THENCE southerly along the westerly limits of said Lots Number Fifty-four and Fifty-five sixty feet (60') to a point on the northerly limit of Herkimer Street;

THENCE easterly along the northerly limit of Herkimer Street one hundred and eighteen feet six inches (118' 6") to the place of beginning, being the lands intended to be conveyed to the said Lily Edith Waugh by Instrument No. 4193 N.S.



SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

250 James Street South,  
Hamilton, Ontario

250 James Street South is considered one of Hamilton's finest examples of a Second Empire Style residence. The home was built in 1880 for the Hamilton Real Estate Association and was designed by James Balfour, a local architect noted for his plans for the Detroit Art Museum and the Hamilton City Hall (1889).

Located at the northwest corner of Herkimer Street, Balfour's house is a vital component in the James South streetscape. Its construction was part of a late 19th century expansion which resulted in a fashionable and coherent Victorian neighbourhood along James South. Despite later changes, this historic streetscape continues to be a prominent urban feature of Hamilton today.

Architecturally, 250 James South displays the tall proportions and decorative detail characteristic of the Second Empire Style, namely, the slate mansard roof, arched windows and doors, shutters, brackets, dormers, corner quoins and elaborate chimneys.

Of historical interest is the long-term occupancies of two noted Hamiltonians--merchant William J. Waugh, active in the Y.M.C.A., and physician John P. Houston.

250 James Street South is listed on the Hamilton Inventory of Architecturally and Historically Significant Buildings and is included in the Adanson Survey and in the publication, "Victorian Architecture in Hamilton" by A.G. McKay.

Important to the preservation of 250 James South is the retention of the original features on the east, south and north facades.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 316 JAMES STREET SOUTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 316 James Street South and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this

day of

A.D. 1985.

City Clerk

Mayor

SCHEDULE "A"

To

By-law No. 85-

316 James Street South,  
Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of the following:

FIRSTLY

Parcel Unit 1, Level 1, in the register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and its appurtenant common interests.

SECONDLY

Parcel Unit 2, Level 1, in the register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

THIRDLY

Parcel Unit 3, Level 1 and its appurtenant common interests as shown on Wentworth Condominium Plan No. 84 registered in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

FOURTHLY

Parcel Unit 1, Level 2, in the Register for Wentworth Condominium Plan No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

FIFTHLY

Parcel Unit 1, Level 3, in the Register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

SIXTHLY

Parcel Unit 2, Level 3, in the Register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

316 James Street South,  
Hamilton, Ontario

Ballinahinch, the stately stone mansion located at 316 James Street South where Aberdeen Avenue intersects, was built originally in 1849-50 as the residence for Aeneas Sage Kennedy, a Scottish dry goods merchant. Known as the Wilderness, Kennedy's home was rebuilt after a fire caused major damage in 1853. When lawyer Edward Martin purchased the residence in 1870, he renamed the home Ballinahinch after his grandfather Humanity Martin's estate in Ireland. He also added such baronial attributes as the family coat-of-arms over the front entrance. Designer of the original building was William Thomas, a well known architect of the mid-19th century.

316 James Street South has been rated a building of architectural excellence in the Adamson inventory. It is highly valued as an outstanding example of the country villa style, showing both Italianate and Gothic features, and as a work of an important early Canadian architect. It is significant also as a rare survivor from one of Hamilton's most distinguished building periods, the era of limestone architecture (1840's-50's), when manorial estates populated the rising slopes of Hamilton mountain.

Ballinahinch formerly served as the private home of such leading Hamiltonians as Edward Martin, founder of the Martin and Martin law firm, publisher William Southam and industrialist Frank McKune. In 1944, 316 James South was converted into apartments and in 1980 into condominiums.

Of importance is the conservation of the original features of Ballinahinch, particularly on the east and south facades, including but not limited to the main tower, slate roof, the stone walls and decorative architectural features as well as the interior staircase, entranceway, and central hall.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 109 GEORGE STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 109 George Street and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 8 R.P.R.C. 7, May 28

SCHEDULE "A"

~

By-law No. 85-  
109 George Street,  
Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth (formerly in the City of Hamilton, in the County of Wentworth), and being composed of parts of Lots Numbers Three and Two in the George Tiffany Survey and lying on the southerly side of George Street in the block bounded by Queen Street South, Main Street West, Hess Street South and George Street, the said lands being more particularly described as follows, that is to say:

COMMENCING at the point of intersection of the northerly production of the centre line of a party wall erected between the dwellings known as City Numbers 107 and 109 George Street, said point of intersection being distant one hundred and twenty-four feet nine inches (124' 9") from the intersection of the southerly limit of George Street with the easterly limit of Queen Street South; THENCE westerly along the southerly limit of George Street North sixty-seven degrees fifty minutes west (N 67° 50'W) forty-one feet (41') to a point; THENCE south twenty degrees forty minutes west (S 20° 40'W) to and along a fence now erected one hundred and seventeen feet three inches (117' 3") to a point in a fence now erected along the southerly boundary of an alleyway; THENCE south sixty-nine degrees twenty minutes east (S 69° 20'E) forty-one feet four inches (41' 4") more or less to the point of intersection of this limit with the southerly production of the centre line of the party wall hereinbefore mentioned; THENCE northerly to and along the said centre line of the party wall as aforementioned and the northerly production thereof one hundred and fifteen feet six inches (115' 6") more or less to the place of beginning. On the above described property is situate a semi-detached brick dwelling known as City Number 109 George Street.

TOGETHER WITH a right-of-way in common with all others entitled thereto on, over and along a strip of land, being ~~part of~~ Lots One

*part of lots*

Two and Three in said survey ----- cont'd

having an uniform width of ten feet (10') throughout and extending from the westerly limit of the above described property to the easterly limit of Queen Street said right-of-way being more particularly described as follows: COMMENCING at a point in the easterly limit of Queen Street distant one hundred and nine feet three inches (109' 3") southerly along said limit from its intersection with the southerly limit of George Street; THENCE South sixty-nine degrees twenty minutes east (S 69° 20' E) seventy-five feet four inches (75' 4") to a point; THENCE south twenty degrees forty minutes west (S 20° 40' W) ten feet (10') to a point in a fence now erected along the southerly limit of an alleyway herein described; THENCE north sixty-nine degrees twenty minutes west (N 69° 20' W) seventy-five feet (75') more or less to the easterly limit of Queen Street; THENCE north eighteen degrees east (N 18° E) ten feet (10') to the place of beginning.

AND SUBJECT to the right-of-way in favour of the owners from time to time of the remaining portion of said Lots Two and Three and Lot One in said survey lying on the southerly side of George Street on, over and along the southerly ten feet of the herein-before described property and extending from the easterly limit of the westerly limit of the said property.

DESCRIPTION APPEARS REGISTERABLE  
29

SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

109 George Street,  
Hamilton, Ontario

#107-109 George Street are semi-detached brick houses constructed in 1870-71 for noted Hamilton industrialist John Moodie. The buildings are listed on the Hamilton Inventory of Architecturally and Historically Significant Buildings and the immediate neighbourhood of Hess Village is listed as a Potential Heritage Conservation District.

Architecturally, the buildings exhibit a high quality of vernacular rowhouse design and historically, the buildings' connection with an important Hamilton citizen increases their heritage value. John Moodie was a leading entrepreneur of the late nineteenth century who is best known as one of the Five Johns, celebrated for their role in bringing hydro power into Hamilton from the distant site of De Cew Falls.

Important to the preservation of #107-109 George Street is the retention of the original features on the north, east, and west facades including but not limited to the central gable, brackets, the bay windows, the front doorway and the pointed arched window in the gable.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 433 BAY STREET NORTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 433 Bay Street North and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this

day of

A.D. 1985.

City Clerk

Mayor

SCHEDULE "A"

To

By-law No. 85-

433 Bay Street North,

Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of parts of lots numbers eight(8) and nine (9) , in Block 39, according to plan of survey made for Sir Allan McNab, and registered in the Registry Office for the Registry Division of Wentworth as Number 127, and which may be more particularly described as follows, that is to say:- COMMENCING at a point in the western limit of Bay Street where it is intersected by the production easterly of the line of an existing picket fence, the said point being distant five feet and nine inches (5'9") measured on a course of north nineteen degrees and twenty minutes east (N.19°20'E) along the said western limit of Bay Street from the division line between lots number eight (8) and nine (9);

THENCE North sixty-nine degrees and eight minutes West (N.69°08'W) to and along the line of the aforesaid picket fence, fifty-eight feet (58') to a point;

THENCE North seventy-two degrees and forty minutes West (N.72°40'W) following the line of an old fence as marked by strands of wire strung on trees and posts, seventy-nine feet and nine inches to a point (79'9");

THENCE South nineteen degrees and twenty minutes West (S.19°20'W) and parallel with the said western limit of Bay Street, twenty-three feet and seven inches (23'7") more or less to a point in a line drawn on a course of North sixty-nine degrees and eight minutes West (N.69°08'W) from a point in the western limit of Bay Street which is distant twenty-seven feet and seven inches (27'7") measured southerly thereon from the place of beginning;

THENCE South sixty-nine degrees and eight minutes east (S.69°08'E) one hundred and thirty-seven feet and eight inches (137'8") more or less to a point in the western limit of Bay Street;

thence North nineteen degrees and twenty minutes East (N.19°20'E) along the western limit of Bay Street, twenty-seven feet and seven inches (27'7") more or less to the place of beginning.

ON THE above described parcel of land is erected the brick dwelling known as Number 433 Bay Street North.

TOGETHER WITH THE RIGHT to pass over, along and upon and use as a right-of-way, that part of the lands immediately adjoining on the south, being part of Lot number nine (9) aforesaid, which may be more particularly described as follows, that is to say:- COMMENCING at the south-eastern angle of the hereinbefore described parcel of land.

THENCE southerly along the western limit of Bay Street, three feet and seven and three-quarter inches (3'7 3/4") more or less to a point in the production easterly of the line of the northern face of the northern wall of the brick dwelling erected upon the lands immediately adjoining on the south and known as number 431 Bay Street North;

THENCE westerly to and along the northern face of the aforesaid dwelling and the production westerly of the line thereof, fifty-five feet (55') to a point;

THENCE northerly and parallel with the western limit of Bay Street, three feet and eight inches (3'8") more or less to a point in the southern limit of the hereinbefore described parcel of land.

THENCE easterly along the southern limit of the hereinbefore described parcel of land, fifty-five feet (55') to the place of beginning.

SUBJECT TO THE RIGHT by the owners, tenants and occupants of the aforesaid brick dwelling erected upon the lands immediately adjoining on the south and known as Number 431 Bay Street North to pass over, along and upon and use as a right-of-way, that part of the hereinbefore described parcel of land, being part of lot number nine (9) aforesaid, which may be more particularly described as follows, that is to say:-

COMMENCING at the south-eastern angle of the hereinbefore described parcel of land;

THENCE northerly along the western limit of Bay Street, three feet and eight inches (3'8") more or less to a point in the production easterly of the line of the southern face of the southern wall of the aforesaid dwelling erected upon the lands hereinbefore described and known as Number 433 Bay Street North;

THENCE westerly to and along the southern face of the said last mentioned dwelling, thirty-one feet and seven and one-quarter inches (31'7 1/4") more or less to the south-western angle of the front portions of the said dwelling, the said angle being distant three feet and three and one-quarter inches (3'3 1/4") measured northerly at right angles from the southern limit of the herein described parcel of land.

THENCE continuing westerly and parallel with the southern limit of the hereinbefore described parcel of land, twenty-three feet and four and three-quarter inches (23' 4 3/4") to a point;

THENCE southerly and parallel with the western limit of Bay Street, three feet and three and one-quarter inches (3' 3 1/4") to a point in the southern limit of the hereinbefore described parcel.

THENCE easterly along the southern limit of the hereinbefore described parcel fifty-five feet (55') to the place of beginning.

DESCRIPTION APPEARS REGISTERED  
MS



SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

433 Bay Street North,  
Hamilton, Ontario

#433 Bay Street North is a two-storey, brick residence built in 1883 by Henry Louis Bastien for his son Louis. The home is located in the historic port community of the North End on a height of land that overlooks the western end of Hamilton Harbour.

The significance of the building derives in part from its location and its close associations with Hamilton's waterfront history. Original owner of the property H.L. Bastien was a nationally known designer and builder of sailboats, canoes, rowboats, etc. The Bastien boatworks, founded in 1863, were located to the rear of the home.

The home remained in the Bastien family ownership for over 60 years until sold by his daughter Clevine in 1947.

Architecturally, #433 Bay Street North displays popular stylistic features of the period, notably, the bay window, contrasting brick trim, segmental arched windows and brackets.

The building is listed on Hamilton's Inventory of Architecturally and Historically Significant Buildings. Of particular importance in the conservation of this building are the east and south facades.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 107 GEORGE STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 107 George Street and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

SCHEDULE "A"

To

By-law No. 85-  
107 George Street,  
Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of Part of Lot Number Three (3) of the George Tiffany Survey, and lying on the southerly side of George Street in the block bounded by Queen Street South, Main Street West, Hess Street South and George Street, said lands being more particularly described as follows:

COMMENCING at a stake set in the southerly limit of George Street distant one hundred and sixty-two feet seven and one-half inches (162'7½") measured easterly along said limit from its intersection with the easterly limit of Queen Street South; THENCE north sixty-seven degrees fifty minutes west, thirty-seven feet ten and one-half inches more or less to the point of intersection of the northerly production of the centre line of the party wall erected between the dwellings known as City numbers 107 and 109 George Street;

THENCE southerly in a straight course to and along the centre line of the party wall and the southerly production thereof one hundred and fifteen feet six inches to a fence erected;

THENCE south sixty-nine degrees twenty minutes east along said fence forty-five feet eleven inches to a post;

THENCE north eighteen degrees forty minutes east, one hundred and fourteen feet eleven inches more or less to the place of beginning.

ON THE ABOVE-DESCRIBED property is situate the semi-detached red brick dwelling known as No. 107 George Street.

TOGETHER with the right of way in common with all others entitled thereto on, over and along a strip of land being part of lots 1, 2 and 3 in said survey in said Block having a uniform width of ten feet throughout and extending westerly from the westerly limit of the afore-described property to the easterly limit of Queen Street, the said right of way being more particularly described as follows:

COMMENCING at a point in the easterly limit of Queen Street distant one hundred and nine feet three inches measured southerly along said limit from its intersection with the northerly limit of George Street;

THENCE south sixty-nine degrees twenty minutes east one hundred and sixteen feet eight inches to a point;

THENCE south twenty degrees forty minutes west, ten feet to a point;

THENCE north sixty-nine degrees twenty minutes west one hundred and sixteen feet four inches more or less to the easterly limit of Queen Street;

THENCE north eighteen degrees east ten feet more or less to the place of beginning.

AND SUBJECT to the existing rights of the owners of the remaining portion of said Lot Three and Lots One and Two in said survey, adjoining immediately to the west of the above described property on, over and along the above-mentioned right of way.

DESCRIPTION APPEARS REGISTERABLE  
49



SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

107 George Street,

Hamilton, Ontario

#107-109 George Street are semi-detached brick houses constructed in 1870-71 for noted Hamilton industrialist John Moodie. The buildings are listed on the Hamilton Inventory of Architecturally and Historically Significant Buildings and the immediate neighbourhood of Hess Village is listed as a Potential Heritage Conservation District.

Architecturally, the buildings exhibit a high quality of vernacular rowhouse design and historically, the buildings' connection with an important Hamilton citizen increases their heritage value. John Moodie was a leading entrepreneur of the late nineteenth century who is best known as one of the Five Johns, celebrated for their role in bringing hydro power into Hamilton from the distant site of De Cew Falls.

Important to the preservation of #107-109 George Street is the retention of the original features on the north, east, and west facades including but not limited to the central gable, brackets, the bay windows, the front doorway and the pointed arched window in the gable.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

A MUNICIPAL QUESTION TO THE VOTE OF THE ELECTORS

WHEREAS paragraph 25 of section 208 of The Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

208. By-laws may be passed by the councils of all municipalities:

25. For submitting to the vote of the electors any municipal question not specifically authorized by law to be submitted;

AND WHEREAS City Council at its meeting held on the 14th day of February, 1984 approved the following resolution moved by Alderman Brian Hinkley and seconded by Alderman H. Merling:

WHEREAS, in 1978, an independent Commission headed by Henry Stewart, and entitled, "The Hamilton-Wentworth Regional Review Commission", did recommend that the Head of Council be elected at large;

AND WHEREAS, the Hamilton City Council, in its response to the Commission's recommendations, did support the popular election of the Head of the Hamilton-Wentworth Regional Council;

AND WHEREAS, the Regional Council supports the election of Regional Chairman at large, and the present City Council unanimously supports the election of Regional Chairman, and both the New Democratic Party of Ontario and the Liberal Party of Ontario supports the election of Regional Chairman at large;

AND WHEREAS, thousands of citizens of the Region have signed a petition calling upon the Provincial Government of Ontario to allow the citizens to choose their own Regional Chairman;

AND WHEREAS, the Provincial Government has refused to give the citizens of the Region this basic democratic right to choose, by popular election, the Head of Regional Council;

THEREFORE BE IT RESOLVED, in order to impress upon the Provincial Government of Ontario the wishes of the people of Hamilton that the following question be put on the ballot of the next Municipal Election:

"Are you in favour of having the Regional Chairman's position being elected at large:

YES \_\_\_\_\_ NO \_\_\_\_\_"

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that the following question be submitted to the vote of the electors at the 1985 Municipal Election:

"Are you in favour of having the Regional Chairman's position being elected at large:

YES \_\_\_\_\_ NO \_\_\_\_\_"

PASSED this

day of

A.D. 1985.

City Clerk

Mayor

Resolution, February 14, 1984

DRAFT #1

The Corporation of the City of Hamilton FOR DISCUSSION PURPOSES

BY-LAW NO. 85-

To Amend:

MAY 24 1985  
ONLY  
CITY SOLICITOR  
THE CITY OF HAMILTON

Street Vendors By-law No. 85-66

Respecting:

RENEWAL OF AGREEMENTS AND  
ADVERTISEMENT OF GOODS AND SERVICES

WHEREAS By-law No. 85-66, passed on the 9th day of April, 1985 pursuant to various provisions of The Municipal Act as therein set out, provides for the use of parts of sidewalks by Street Vendors;

AND WHEREAS it is intended to amend the said by-law in order to allow for renewal of Agreements with street vendors.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 6 of By-law No. 85-66 is amended by adding thereto the following subsection:

(2) Notwithstanding any application made for a stand, or the order referred to in subsection 1, an Agreement may be renewed or extended and a Permit issued for a period commencing on the expiry of the immediately preceding Agreement, upon such terms and conditions as the City may require.

2. Paragraph 4 of section 15 of the said by-law is repealed and the following substituted therefor:

4. Not use signs, advertising devices or other means of advertising that are not attached to the stand.

4a. Not use the stand to advertise any matter or thing other than the actual goods exposed or offered for sale by retail.

3. Paragraph 3 of section 16 of the said by-law is repealed and the following substituted therefor:

3. Not use signs, advertising devices or other means of advertising to advertise a service that is not specified in the Agreement.

PASSED this

day of

A.D. 1985.

City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

AN ADDITIONAL EXPENDITURE IN RESPECT OF THE PIPING SYSTEM  
BETWEEN THE CENTRAL UTILITIES PLANT AND HAMILTON PLACE

WHEREAS the Ontario Municipal Board, by Order dated the 13th day of October, 1970 (File No. G 9744-70), approved,

- (a) the construction of a Theatre-Auditorium in the Civic Square on the north side of Main Street West, west of MacNab Street at an estimated cost of \$8,583,800.00 and the borrowing of money by way of temporary advances not exceeding \$4,183,800.00, and
- (b) the issue of debentures in a principal amount not exceeding \$4,183,800.00 repayable over a term of not more than twenty years;

AND WHEREAS By-law No. 70-330, passed on the 10th day of November, 1970, authorized the construction aforesaid;

AND WHEREAS the said Board, by Order dated the 3rd day of December, 1970 (File No. G 9744-70), approved,

- (a) reducing the cost of construction of the Theatre-Auditorium by \$600,000.00 from \$8,583,800.00 to \$7,983,800.00 and the reducing of the current revenue payments to be made in each of the years 1970 and 1971 by \$300,000.00 from \$600,000.00 to \$300,000.00 in each of such years;

AND WHEREAS By-law No. 71-31, passed on the 9th day of February, 1971, gave effect to the Board's Order dated the 3rd day of December, 1970;

AND WHEREAS the said Board, by Order dated the 18th day of June, 1971 (File No. G 9744-70), approved,

- (a) the additional expenditure of \$2,200,000.00 for the completion of construction of the Theatre-Auditorium and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issue of debentures in a principal amount not exceeding \$2,200,000.00 repayable within a term prescribed by the previous Order;

AND WHEREAS By-law No. 71-211, passed on the 31st day of August, 1971, gave effect to the Board's Order dated the 18th day of June, 1971;

AND WHEREAS the said Board, by Order dated the 3rd day of September, 1971 (File No. G 9744), approved,

- (a) the transfer of the sum of \$439,216.26, a part of the amount realized from the sale of debentures for purposes other than that for which the debentures were issued, to pay part of the cost of construction of the Theatre-Auditorium;

AND WHEREAS the said Board, by Order dated the 26th day of September, 1973 (File No. G 9744), approved,

- (a) an additional expenditure of \$125,000.00 for completion of the construction of the Theatre-Auditorium and the borrowing of money not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of debentures in a principal amount not exceeding \$125,000.00, repayable within the term prescribed by the previous Order;

AND WHEREAS By-law No. 74-11, passed on the 15th day of January, 1974, gave effect to the Board's Order dated the 26th day of September, 1973;

AND WHEREAS the said Board, by Order dated the 8th day of July, 1985 (File No. G 9744), approved,

- (a) an additional expenditure of \$140,000.00 covering an additional estimated cost of this amount, and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost pending the sale of the debentures, and
- (b) the issuance of additional debentures in the amount of \$140,000.00 by the Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the reconstruction and/or alteration of the existing piping system and accessory equipment of Hamilton Place, connected to the Central Utilities Plant, may now proceed at an additional expenditure of \$140,000.00 to be financed by the issuance of additional debentures in the amount of \$140,000.00, in accordance with the Ontario Municipal Board Order, dated the 8th day of July, 1985, (File No. G 9744).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 8 R.F.C. 19, April 30

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

**THE REPLACEMENT OF AN ICE-MAKING SYSTEM  
AT THE INCH PARK ARENA**

WHEREAS the Ontario Municipal Board, by Order dated the 2nd day of August, 1985, (File No. E 850719), approved,

- (a) the replacement of an Ice-Making System at the Inch Park Arena at an estimated cost of \$600,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the replacement of an Ice-Making System at the Inch Park Arena may now proceed in accordance with the Ontario Municipal Board Order dated the 2nd day of August, 1985, (File No. E 850719).
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor



## BY-LAW NO. 85 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE DAY OF  
A.D., 1985

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1985

City Clerk

Mayor





CA 40N HBL A05  
A31  
1985

## MEETING OF THE COUNCIL

HAMILTON PUBLIC LIBRARY OF THE CORPORATION OF THE CITY OF HAMILTON

SEP 10 1985

GOVERNMENT DOCUMENTS

Tuesday, 1985 August 27  
7:30 o'clock p.m.  
Council Chambers  
City Hall

RECEIVED BY

AUG 26 1985

CHIEF  
LIBRARIAN

### AGENDA

1. Prayer
2. Presentation - Exchange Students (Hungarian Scouts) from Calgary
3. Minutes of the meetings held 1985 July 30 and August 20
4. Reports of Standing Committees - attached:
  - A Transport and Environment Committee
  - B Parks and Recreation Committee
  - C Planning and Development Committee
  - D Legislation Committee
  - F Finance Committee
  - G Mayor R. M. Morrow
5. Notices of Motion from previous meeting -
  - (a) Alderman Wm. Powell
  - (b) Alderman T. Murray
6. Notices of Motion for next meeting
7. First reading of the Bills
8. Second reading of Bills - Committee of the Whole
9. Third reading of Bills
10. Question period
11. Adjournment





## REPORTS



## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIFTEENTH** Report for 1985 and respectfully recommends:

1. For the information of Council, the Transport and Environment Committee, at its meeting held Monday, July 22, 1985 appointed the following citizen member to fill a vacancy on the Pollution Control Sub-Committee:

Ms. Irene Stayshyn

2. That the Chairman or his designate and a staff member be authorized to attend the 1985 International Conference presented by the Air Pollution Control Association, November 3-6, Vancouver, British Columbia.
3. That an Offer to Purchase the lands of the Corporation of the City of Hamilton duly executed on June 14, 1985 by the Purchaser, Dover Construction and Consultants Inc. and scheduled for closing on October 18th, 1985, be approved and completed.

**NOTE:** The property is composed of a parcel of land located on the south side of Limeridge Road East having a frontage of 4 feet and containing an area of .02498 acres (more or less) and more particularly described as Part 2, Plan 62R-3423 save and except the northerly 10 feet of Part 2 abutting Limeridge Road East.

The purchase price is \$9 397.59 which represents the cost of City services on Leggett Crescent. A deposit cheque in the amount of \$1 000 is being held by the City Treasurer pending Council approval.

4. (a) That the leasing of 203 Simcoe Street East to Norma White commencing August 7, 1985 at a one time rental of \$100 and commencing September 1, 1985 at a monthly rental of \$300 including realty taxes, be approved; and  
(b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.
5. (a) That the City owned land at 979 Queenston Road in Stoney Creek be leased to Mr. Anthony Semens for the period December 6, 1985 to December 24, 1985 at a rental of \$290 (including realty taxes); and  
(b) That the City Solicitor be authorized to prepare the necessary lease.

**NOTE:** Mr. Semens is to provide liability insurance and be responsible for all licences and business taxes. The applicant to deposit with the City the sum of \$500 as a guarantee for cleanup and repair of any damage which may be done to the lands.

6. That the closing date for the sale of 3.012 acres, known as the Hill Street Public Works Yard, to Hamilton Baptist Non-Profit Homes Corporation, be amended to December 16, 1985.
7. That northbound traffic on Charles Street be required to stop at Hurst Place.
8. That a stop sign be erected to control eastbound traffic on Brookstream Court at Glen Vista Drive.
9. That a parking prohibition be implemented on the west side of West 3rd Street commencing at Wembley Road and extending to a point 68 feet southerly therefrom.
10. That stopping be prohibited on the east side of Weir Street North, between Main Street East and a point 80 feet northerly therefrom.
11. That parking be prohibited on the west side of Ferguson Avenue North between Cannon Street East and Barton Street East.
12. (a) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of Purton Street between Victoria Avenue North and 300 feet easterly be rescinded; and  
  
(b) That the existing "Alternate Side Parking" and "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulations which are presently signed for the remainder of the block between Victoria Avenue North and Emerald Street, be extended westerly to Victoria Avenue North.
13. (a) That an additional three parking meters be installed on the north side of Jackson Street East, mid-block between Catharine Street and Walnut Street; and  
  
(b) That the "No Parking" corner clearance on the north side of Jackson Street East, commencing at Catharine Street and extending to a point 50 feet easterly therefrom be shortened, such that the prohibition extends to a point 45 feet east of Catharine Street.
14. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulatin be implemented on both sides of East 25th Street between Crockett Street and Queensdale Avenue.
15. That a stopping prohibition be implemented on the south side of Burland Crescent, commencing at a point 192 feet west of Parkdale Avenue North and extending to a point 204 feet westerly therefrom.
16. That a parking prohibition be implemented on the north side of Dunsmure Road, commencing at a point 87 feet east of Ottawa Street North and extending to a point 24 feet easterly therefrom.
17. That a parking prohibition be implemented on the east side of Summercrest Drive, commencing at Greenhill Avenue and extending to a point 50 feet northerly therefrom.
18. That the application by Julian Bertozzi to lease a portion of the boulevard of Bay Street North, adjacent to 268 Bay Street North, be approved provided that:



- (a) the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1984 March 13 (current rate is \$2.69 per square metre), plus taxes, if any, in addition to the \$10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.
  - (b) the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
  - (c) the approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
  - (d) the owner prepares and executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
19. (a) That the agreement permitting vehicles to be parked on the boulevard of Jackson Street West adjacent to the Calabria Supermarket, 103 Locke Street South, be terminated; and
- (b) That the City Solicitor be directed to prepare the necessary documents in relation to the termination of this agreement; and
- (c) That the owner of the property be instructed to restore the boulevard area to grass by no later than 1985 September 30; and
- (d) The Department of Public Works be directed that, in the event that the boulevard has not been restored to the satisfaction of the Director of Public Works, by 1985 September 30, the necessary works be performed by that Department, on October 1, 1985, and the costs be added to the tax rolls; and
- (e) That the Hamilton-Wentworth Regional Police Department be requested to provide thorough enforcement of truck route violations on Pearl and Jackson Streets immediately.
20. (a) That the engineering schedules for the estimated cost of services in "Chateau Estates - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- (b) That the City's share for the cost of services for this development (\$23 830.75) be charged to the Reserve for Services Through Unsubdivided Lands, account 0280-12;

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Curbs and Walks	\$2 780.00
Final Roadways	6 950.00
Catch Basins and Connections	2 260.00
Fencing	620.00
Street Lighting	750.00
Watermains	2 736.00
Sanitary & Storm Sewers	7 734.75
<b>TOTAL</b>	<b>\$23 830.75</b>

- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
- (e) That the City Treasurer be authorized and directed to issue a cheque following the registration of the Final Plan, payable to the Region of Hamilton-Wentworth for the sum of \$7 734.75, as the City's share for existing sewers adjacent to the City parklands.

**NOTE:** Clause 5(b) of the Seventh Report of the Planning and Development Committee adopted by City Council on 1985 March 12, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Mohawk Paradise Developments Ltd.

21. That the application of the following organizations to place banners on Main Street West, in front of City Hall, on the designated dates be approved:

- (a) Theatre Aquarius from Tuesday, September 3, 1985 to Monday, September 9, 1985

Message to read: "Theatre Aquarius Cordially Invites You to Celebrate With Us, Opening October 2, 1985 at the Studio Theatre, Hamilton Place"

- (b) St. Joseph's Hospital Building Campaign from Monday, September 16, 1985 to Monday, September 23, 1985

Message to read: "St. Joseph's Hospital Building Campaign Presents Another Special Event, For Tickets Call 522-4941 Ext. 3136"

- (c) Theatre Aquarius from Monday, September 23, 1985 to Monday, October 7, 1985

Message to read: "Theatre Aquarius Cordially Invites You to Celebrate With Us, Opening October 2, 1985 at the Studio Theatre, Hamilton Place"

- (d) Hamilton International Auto Show from Monday, October 7, 1985 to Monday, October 28, 1985

Message to read: "Hamilton International Auto Show, Hamilton Convention Centre, October 23-27, 1985"

- (e) Hadassah-Wizo Organization of Hamilton from Monday, October 28, 1985 to Monday, November 4, 1985

Message to read: "Hadassah-Wizo Organization of Hamilton at the Hamilton Convention Centre, November 4, 1985, 10:00 a.m. to 8:00 p.m."

- (f) Leeds of Hamilton Limited from Monday, December 23, 1985 to Monday, January 6, 1986

Message to read: "Leeds Bridal Show '86, Hamilton Convention Centre, January 7-8, 6:00 p.m. and 8:30 p.m."

provided that they meet the following conditions:

- i. That all applicants pay a \$100 fee for each installation; and
  - ii. That the applicants indemnify and save the City of Hamilton and the Region of Hamilton-Wentworth harmless from all actions, causes of actions, interest, claims, costs, damages, expenses and loss; and
  - iii. That the applicant produce proof of public liability and property damage insurance of at least \$1 000 000 naming the City of Hamilton and the Region as added insured parties with a provision for cross liability, and have it filed with the Commissioner of Transportation; and
  - iv. That the design and construction of the banner conform to the standards established by the Commissioner of Transportation and the Department of Public Works; and
  - v. That the applicant submit a drawing(s) to the Commissioner of Transportation, showing the subject matter and content of the banner, prior to fabrication.
22. That the application of St. Paul's Presbyterian and James Street Baptist Churches to temporarily close Jackson Street from James Street, westerly to the public assumed alley, to hold a church social on Wednesday, August 28, 1985, from 6:30 p.m. to 9:00 p.m., be approved, subject to the following conditions:
- (a) That all signing and barricading will be subject to the direction of the Regional Police Department;
  - (b) That clean-up will be carried out immediately following the event, at no cost to the City;
  - (c) That the applicant provide proof of \$1 000 000 public liability insurance, prior to the event, naming the City of Hamilton as an additional insured party with a provision for cross liability, and saving the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That no property owner within the barricaded area will be denied access to his/her property upon request.
23. That the application of the Abbot Court Neighbourhood Association, to temporarily close Abbot Court, to hold a "Street Party" on Saturday, August 24, 1985, from 3:00 p.m. to 11:00 p.m., or on a rain date of Sunday, August 25, 1985, from 3:00 p.m. to 11:00 p.m., be approved, subject to the following conditions:
- (a) That all signing and barricading will be subject to the direction of the Regional Police Department and at the expense of the organizing group;



- (b) That clean-up will be carried out immediately following the event, at no cost to the City;
  - (c) That the applicant provide proof of \$1 000 000 public liability insurance, prior to the event, naming the City of Hamilton as an additional insured party with a provision for cross liability, and saving the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That no property owner within the barricaded area will be denied access to his/her property upon request.
24. That the application of Mr. James Pearson, on behalf of the Miles Court Neighbourhood Association, to temporarily close Miles Court, from #36 Miles Court to its southerly end on Saturday, September 7, 1985 between the hours of 3:00 p.m. and 11:00 p.m. be approved, subject to the following conditions:
- (a) That barricading, signing and traffic control are subject to the supervision and direction of the Regional Police Department and at the expense of the organizing group;
  - (b) That clean-up of the street will be carried out immediately following the event, at the expense of the organizing group;
  - (c) That the organizing group shall provide public liability insurance in the amount of \$1 000 000 naming the City of Hamilton as an added insured party with a provision for cross liability, and saving the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (d) That no property owner within the barricaded area will be denied access to his/her property, upon request.
25. (a) That the Commissioner of Transportation be authorized and directed to issue the necessary requisition to the Public Works Department for the improvement to the Mount Albion Road crossing of the T.H.& B., and
- (b) That the cost of this work, estimated at \$11 000 be financed from the 1984 Reconstruction Program, Margaret Street Reconstruction Account No. 0408-F4175.
26. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale of Beta Street from Burlington Street to the C.N. Right-of-Way pursuant to Sections 298 (1) (c) and 316 of the Municipal Act R.S.O. 1980;
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980 of City Council's intention to pass the By-law;
  - (c) That Beta Street be sold to O'Sullivan Automotive Limited at the price set forth in an offer dated June 18, 1985 (namely \$26 629) as approved by Council on July 30, 1985, no later than December 20, 1985;
  - (d) That the Regional Surveyor be authorized to prepare an appropriate reference plan to accompany the By-law;



- (e) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;
- (f) That it is the purchaser's responsibility to terminate and deal with the water and sewer pipes and all other utilities and services running through, in or under the part of Beta Street being closed and that it is the purchaser's responsibility to arrange, at his expense, for water and sewer services and all other utilities and services in respect of that part of Beta Street being closed;
- (g) That in the event the purchaser wishes to abandon the existing watermain and combined sewer, these services be capped at the City's cost. The purchaser to be allowed a six (6) month period to determine whether these utilities will be absorbed into his development. All costs associated with the ultimate disposition of the aforesaid utilities to be charged to the revenue received from the sale of the lands.

**NOTE:** The City is in receipt of an application from the Real Estate Department to close and sell Beta Street from Burlington Street to the C.N. Right-of-Way and the affected Civic Departments have no objection to this request. The City is the abutting owner on both sides of Beta Street.

- 27. That the subdivision agreement for Glen Eagle Estates be modified to the satisfaction of the City Solicitor to permit the deletion of the requirement for sidewalks on Sunbrite Court.

**NOTE:** A petition has been received by a majority of the owners on Sunbrite Court in Glen Eagle Estates Subdivision to delete the requirement for sidewalks on this street and Council, on July 30, 1985, relaxed the requirements from requiring sidewalks on both sides of all streets within subdivisions.

- 28. (a) That the Commissioner of Engineering be authorized and directed to issue the necessary requisition to reconstruct the four brick pillars on the road allowance at the intersection of Main Street and Barnesdale Boulevard;
- (b) That the Finance Committee be requested to recommend the method of financing the additional amount of \$1 300 over the original estimate of \$4 000.
- 29. (a) That with respect to the proposed solutions to the problem of contaminated sediment at the bottom of the Windermere Basin, as outlined by the Windermere Basin Technical Advisory Committee in a report dated April 15, 1985, the alternative of channelization, fill, stabilization and maximum water surface, be endorsed; and
- (b) That a recommendation respecting the solution of the contaminated sediment problem in the Windermere Basin, be brought before the Transport and Environment Committee, by representatives of the Technical Advisory Committee, within three months.
- 30. That leave be granted to introduce the following bills:
  - (a) A-38 By-law Respecting Collectible Waste

- (b) A-39 By-law to Amend Streets By-law No. 9329 Respecting Agreements for the Placing of Print Media Vending or Distribution Boxes
- (c) A-40 By-law to Widen Templemead Drive
- (d) A-41 By-law to Amend By-law 66-100 to Regulate Traffic
- (e) A-42 By-law to Amend By-law 66-100 to Regulate Traffic.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

R. C. Prowse, Secretary

1985 August 19







## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTEENTH** Report for 1985 and respectfully recommends:

1. Approval of the purchase of eight (8) Vespacars from Brooks Truck Salvage, 77 Rennie Avenue, Hamilton, at a cost of \$2,000 per unit for a total of \$16,000 plus taxes.

Sufficient funds are available in account no.'s 0364-2931, 0364-2631, 0364-1623 and 0364-1675 to provide for this acquisition.

2. Approval of a sale of 90 feet of iron rod pickett fencing to the Royal Connaught Hotel, Hamilton, Ontario at a price of \$18.00 per linear foot.

Funds derived from the sale of this fencing to be credited through account no. 0364-41 (Gore Park).

**NOTE:** This fencing was removed from the section of Gore Park directly in front of the Royal Connaught Hotel, because of it being a traffic hazard.

It's use by the Royal Connaught Hotel for their sidewalk cafe is appropriate in that it blends with the remainder of the fence located in the park.

**Respectfully submitted,**

**Alderman B. Hinkley, Chairman  
Parks and Recreation Committee**

J. J. Schatz  
Secretary  
1985 August 1



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIFTEENTH** Report for 1985 and respectfully recommends:

1. (a) That the City's contribution of \$100,000 towards the total cost of reconstruction of the McMaster University Track and Field Facilities, as approved in the 1985 Capital Budget, be approved for payment upon completion of the project and receipt of an audited statement of expenditures.
- (b) That this contribution be made on the understanding that these facilities and equipment will be available for community use, and that a report on the extent and type of uses be submitted to this Department in the fall of each year.
2. (a) That the draft principles, goals and objectives as proposed by the Culture and Recreation Master Plan Consultant and amended by staff, outlined in Schedule A, be approved in principle, and forwarded to various committees, staff and public for comments and review before being presented for final approval in the fall of 1985.
- (b) That an annual review process be established to evaluate the Department's programs and services relative to the approved goals and objectives, such a review to include a one-day public workshop, an annual publication inviting comments, and an on-going review by the Leisure Services Advisory Committee.
3. (a) That the Chairman or his designate and a member of the City Architect's staff attend the Waterfront Seminar at a cost not to exceed \$2,200.00.
- (b) That the Chairman or his designate be authorized to invite the Urban Waterfront organization to hold a future conference in Hamilton

**NOTE:** Sufficient funds are available in Account 0408-G4626-8 to cover the costs of the above seminar.

4. That a second information stand be installed at a cost not to exceed one thousand dollars (\$1,000), in Block 1 of Gore Park in the location previously recommended by the City's consultant, Moorhead Fleming Corban McCarthy.

**NOTE:** There are sufficient funds remaining within Phase 1 to supply and install the stand and the Planning and Development Committee is being requested to authorize the allocation of the requisite monies.

5. That the Parks and Recreation Committee review, with officials of Bell Canada, the appearance of the telephone booths currently installed in Gore Park along with other possible alternatives.

6. Approval of the awarding of the following contracts:

(a) Q-TECH MODELS, Hamilton

Supply and delivery of Hamilton Waterfront Model -  
1:500A in accordance with Request for Quotation  
and Vendor's Quotation dated 1985 July 23  
for a total sum of ..... \$12,700.00

**NOTE:** Lowest of 4 proposals.  
Funding provided in Account 0408-G4626-4.

(b) PARIS PLAYGROUND EQUIPMENT LTD., Paris, Ontario

Supply & installation of Creative Playstructure  
in Parkdale Park, in accordance with specifications  
issued by the Director of Purchasing and Vendor's  
Tender for the total sum of ..... \$11,870.47

**NOTE:** Lowest acceptable tender.  
Funds provided in Account 0364-9823.

(c) RESSCO PLAYSTAR RECREATION PRODUCTS, Mississauga, Ontario

Supply & installation of Creative Playstructure  
in Mahony Park, in accordance with specifications  
issued by the Director of Purchasing and Vendor's  
Tender for the total sum of ..... \$12,000.00

**NOTE:** Lowest acceptable tender.  
Funds provided in Account 0364-9823.

(d) CHILDREN'S PLAYGROUNDS INC., Unionville, Ontario

Supply & installation of Creative Playstructure  
at Parkdale School, in accordance with specifications  
issued by the Director of Purchasing and Vendor's  
Tender for the total sum of ..... \$11,985.00

**NOTE:** Lowest acceptable tender.  
Funds provided in Account 0364-9823.

(e) G. C. DUKE EQUIPMENT LTD., Burlington, Ontario

Supply and delivery of One (1) Cushman Model 53285  
Truckster Complete in accordance with specifications  
issued by the Director of Purchasing and Vendor's  
Tender for the total sum of ..... \$19,035.30

All Charges included.

**NOTE:** Lower of 2 tenders.  
Funds provided in Accounts 0364-0575, 0364-7575, 0350-7375.



(f) **T. A. GOWLING CONSTRUCTION (1978) LTD., Hamilton, Ontario**

To furnish all material, labour, service and  
equipment necessary for the Utility Building,  
Woodland Cemetery, in accordance with specifications  
issued by the Director of Purchasing and Vendor's  
Tender for the total sum of ..... \$145,000.00

All charges included.

**NOTE:** Only tender received.  
Funds provided in Account 0408-V42745.  
Bid Bond and Agreement to Bond were not received  
but are available.

7. That the membership of the Hamilton Historical Board be increased from six citizen members to nine citizen members.

**NOTE:** Three Council members also to serve on the Board.

8. That the terms of final settlement for payment to the City with respect to the Skate Sharpening Concession held by Mountain Sports, now in receivership, be as follows:

Payment of Taxes ..... \$463.58  
Concession Fees (1/2 of annual fee) ..... \$675.50

9. (a) That permission be granted to The Hamilton Dog Obedience Club Inc. to utilize a designated area in each of the following parks in conjunction with their 10 kilometer walk through Hamilton:

H.A.A.A. Grounds  
Dundurn Park

- (b) That such permission be granted on the understanding that all dogs will be on leashes, and that the parks will be cleaned by the owners at the time of their use, and immediately following by volunteer cubs and scouts.
10. That the Revised Parks Expenditure Policies dated 1985 July be adopted by City Council.
11. That authorization be given to the Ministry of Citizenship and Culture, in conjunction with the Hamilton-Wentworth Regional Planning Department to conduct an Archaeological Survey of undeveloped parkland in the mountain area.
12. That a special meeting of the Parks and Recreation Committee be called prior to the next regularly scheduled Council meeting of 1985 September 10 for the purpose of approving and recommending to City Council, the selected contractor for the landscape and site development of the Region of Hamilton-Wentworth, Waterworks Pipeline Property Project.

**NOTE:** This special meeting to be called in order that development commence on the earliest possible date.

13. (a) That an Offer to Purchase the lands of The Corporation of the City of Hamilton, duly executed on 1985 July 24 by the Purchaser, Dofasco Inc. and scheduled for closing on 1985 October 30 be approved and completed.
- (b) That the City Solicitor be authorized to take whatever action is necessary if required by the Purchaser to remove the condition in the 1911 deed to the City (15233) whereby the City of Hamilton must retain the said lands for park purposes only.
- (c) That the funds received for the sale of these lands be deposited in the Parks Account.

**NOTE:** The property is composed of a parcel of land and located on the southern limit of Beach Road, having a frontage of 211 feet (more or less) by a depth of 30 feet (more or less) on the eastern limit of Holly Avenue and 102 feet (more or less) on the western limit of Benson Avenue and containing an area of 13,373 square feet (more or less) and more particularly described as Lots 418 to 424 on Hamilton Park Survey Plan 505.

The purchase price is \$70,000.00. A deposit cheque in the amount of \$7,000.00 is being held by the City Treasurer pending Council approval.

14. (a) That approval be given to lease the City owned lands south of 120 Hillyard Avenue containing 3884.45 square feet (360.8m ) to Gerard and Eileen Kinsella, at an annual rental of \$100 plus taxes, to commence the first of the month following Council approval.
- (b) That the City Solicitor be directed to prepare the necessary documents and finalize this lease.

**NOTE:** These escarpment lands are to be used for parking and landscaping purposes only.

15. (a) That the leasing of 155 Belview Avenue to Kenneth and Moria Stowe at a one time rental charge of \$150 for the period 1985 July 29 to 1985 August 31 and commencing 1985 September 1, the monthly rental of \$350 including realty taxes be approved.
- (b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.
16. That an Option to Purchase the property at 48 Holly Avenue executed by the owners Edward and Jennie Shynal on 1985 July 10 and scheduled for closing on or before 1985 October 2, be completed.

**NOTE:** This property which is required in connection with the development of McAnulty Neighbourhood Priority Park One has a frontage of approximately 15.24 metres (50 feet) by a depth of about 29.26 metres (96 feet) with structures thereon. The purchase price of \$33,000.00 is to be charged to Account No. 0408-C06036 in which sufficient funds are available to provide for this closing.

17. (a) That the firm of George Sinclair Construction Inc. be granted permission for the sum of \$1.00 to install a 9' X 10' subdivision advertisement sign on City owned land on the southeast corner of Lake Avenue and Barton Street East.
- (b) That approval of the Authority to Enter is subject to George Sinclair Construction Inc. assuming all risks, costs and indemnify and save harmless the City against and from any and all actions, course of action, interest claims, demands, costs, expenses and loss, all claims for bodily injury or property damage arising from or out of the use by George Sinclair Construction Inc. of the premises, or arising from the conduct of any work or by or through any act or omission of George Sinclair Construction Inc. or any assignee, invitee or license of George Sinclair Construction Inc. and against and from all costs, counsel fees, expenses and liabilities incurred in or about any such claim or any action or proceeding brought thereon.

**NOTE:** This Authority to Enter will be for a period of one year from the date of City Council approval and the sign will be removed from this firm after the one year has terminated.

18. (a) That approval be given to the leasing of City owned land at the rear of municipal numbers 156 and 186 Bow Valley Drive for the sum of \$1.00 each, plus taxes to the owners listed below for landscaping purposes only; said lease is to commence on the first of the month following City Council approval.
- (b) That the Mayor and City Clerk be authorized to execute the subject leases.

<u>Address</u>	<u>Owner</u>	<u>Size of Land To Be Leased</u>
156 Bow Valley Dr.	James & Shirley Andreatta	50' X 40'
186 Bow Valley Dr.	Domiano & Rosina Tassone	43' X 40'

19. (a) That the Director of Parks be directed to determine the costs of developing a 6 acre Park area in the Eleanor Neighbourhood with suitable playlot equipment; and the method of including this development in the 1986 current budget,
- (b) That a Neighbourhood Committee be established to work with the appropriate staff on the development of an Eleanor Neighbourhood Park,
- (c) That the Director of Parks be directed to analyse the proposed development of parkland in the south mountain area with a view to escalating the waiting period for these facilities and further;
- (d) That consideration and notation be made of the length of waiting time for these facilities by subdivision residents.



20. That the City Solicitor be directed to review the City's fencing policy with a view to amending the policy to ensure the enforceability of requiring the property owners in the proposed subdivision of Strawberry Hills to erect a fence on their own property at the owner's full cost next to abutting City lands.

**Respectfully submitted,**

**Alderman B. Hinkley, Chairman  
Parks and Recreation Committee**

Susan K. Reeder  
Acting Secretary  
1985 August 22



# Recommendations to Parks and Recreation Committee

SCHEDULE "A"

## PROPOSED PRINCIPLES, SHORT AND LONG TERM GOALS

### DEPARTMENT OF CULTURE AND RECREATION

#### PRINCIPLES

The Departmental goals should reflect the following principles:

- assist groups to become self-sufficient
- ensure consistency in recruiting, training and working with volunteers,
- emphasize co-ordination and community development

#### SHORT TERM GOALS (5 year period)

- (a) to improve the quality of life in the City of Hamilton through the provision of cultural and recreational services,
- (b) to assist community agencies and organizations in the provision of cultural and recreational services,
- (c) to plan for service delivery in a comprehensive and continual manner based upon community participation and input
- (d) to promote culture and recreation, and cultural and recreational resources in the City of Hamilton,
- (e) to provide for the individual's right to access to all municipal cultural and recreational facilities and services, and to advocate access to other cultural and recreational facilities and services in the City,
- (f) to co-ordinate the effective and efficient utilization of existing cultural and recreational resources in the City,
- (g) to develop and support the role of volunteers in the cultural and recreational service delivery system and further;
- (h) to establish a process to identify and facilitate innovative, non-traditional and current trend programs
- (i) to establish a process to evaluate and update short term goals on an ongoing basis

#### LONG TERM GOALS

1. To improve the quality of life in the City of Hamilton through the provision of culture and recreation services for all ages and interests.
2. To ensure community input and participation in the delivery of culture and recreation services
3. To ensure current programs are relevant and new needs and interests are being met
4. To establish a network of support services to ensure the delivery of culture and recreation through community agencies and organizations is relevant
5. To protect the individual's right of access to culture and recreation facilities and services.
6. To ensure improved communication, promotion and marketing of culture and recreation services.
7. To ensure high standards of professional and avocational leadership in culture and recreation programs and services.









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTY-FOURTH Report for 1985 and respectfully recommends:

1. (A) That approval be given to close Application SA 85-07, Stone Church Holdings Limited, owner;
- (B) That approval be given to Application SA 85-04, Stone Church Holdings Limited, owner, to establish a draft plan of subdivision on the west side of Upper Wentworth Street and south of the proposed Mountain Freeway, subject to the following conditions:
  1. That this approval apply to the plan prepared by A. J. Clarke & Associates, dated 1985 March 22 revised to show 40 lots, 2 blocks for development in conjunction with adjacent lands to the north and to the west, 3 blocks for 0.3 m reserves and 1 block for a road widening.
  2. That the road allowances and widening for Upper Wentworth Street be dedicated as public highways on the final plan.
  3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  4. That the proposed subdivision conform with the Zoning By-law approved under the Planning Act.
  5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
  8. That the dead-ends and open side of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton, and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  9. That Block 41 and 46 be developed only in conjunction with abutting lands.

10. That the owner acquire lands to establish Sirente Court and Sirente Drive, for the full width.
  11. That no final approval be given to this plan prior to the registration of "Aquila Place" (Regional File No. 25T-79002).
  12. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
  13. That the owner satisfy the requirements of the Ministry of the Environment in regard to possible excessive noise.
  14. That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to the application (SA 85-04), Stone Church Holdings Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.
- (C) That approval be given to Zoning Application 85-22 and 85-42, Stone Church Holdings Limited, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential) District and "R-4" (Small Lot Single-Family Detached) District, for lands on the west side of Upper Wentworth Street in the area south of the proposed Mountain Freeway, as shown on the attached plan marked as APPENDIX "A", on the following basis:
- i) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential) District;
  - ii) That the lands shown as Block "2" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - iii) That the lands shown as Block "3" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - iv) That the "R-4" (Small Lot Single-Family Detached) District regulations as contained in Section 9A of Zoning By-law No. 6593 applicable to the lands shown as Block "3" be modified to include the following variance as a special requirement:
    - a) Notwithstanding Section 9A. (1) (a) of By-law No. 6593 a townhouse dwelling subject to the "RT-10" District provisions of Section 10D shall be permitted.
  - v) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-926, and that the subject lands on Zoning District Map E-18B be notated S-926;

- vi) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-18B.
- vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- viii) That the Crerar Neighbourhood Plan be amended by redesignating the "Medium Density Apartment" lands to "attached housing", residential use.

**Explanatory Note:** The purpose of the by-law is to provide for changes in Zoning for lands located in the area west of Upper Wentworth Street and south of the proposed Mountain Freeway, as shown on the attached plan marked as APPENDIX "A" on the following basis:

- Block "1" - Change from "AA" (Agricultural) District to "C" (Urban Protected Residential) District;
- Block "2" - Change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.
- Block "3" - Change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, modified.

The effect of the by-law is to permit single-family development on Block "1", "small lot" single-family development on Block "2" and "small lot" single-family development or townhouse development on Block "3".

2. (A) That approval be given to Zoning Application ZA 85-48 by Robert Shelley Construction Ltd., owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District and "RT-10" (Townhouse) District for property on the west side of Upper Paradise Road, in the area north of Megna Drive as shown on the attached plan marked as APPENDIX "B", on the following basis:
  - i) That the lands shown as BLOCK "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - ii) That the land shown as BLOCK "2" be rezoned from "AA" (Agricultural) District to "RT-10" (Townhouse) District;
  - iii) That the City Solicitor be directed to amend Zoning By-law No. 6593 and Zoning District Maps W37B and W37C;
  - iv) That the Burnett Neighbourhood Plan be amended by changing the designation for BLOCK "1" from "Low Density Apartments" to "Single and Double Residential", and for the easterly portion of BLOCK "2" from "Low Density Apartments" to "Attached Housing".
  - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



- (B) That approval of the subject by-law be withheld until such time as the owner of the subject lands deeds to the City of Hamilton the lands required for the future extension of Guildwood Drive.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning for property located on the west side of Upper Paradise Road in the area north of Megna Drive as shown on the attached map marked as APPENDIX "B" on the following basis:

BLOCK "1" From "AA" (Agricultural) District to "C"  
(Urban Protected Residential, etc.) District;

BLOCK "2" From "AA" (Agricultural) District to "RT-10"  
(Townhouse) District.

The effect of the by-law is to permit a single-family dwelling on on BLOCK "1" and townhouses on BLOCK "2".

3. That approval be given to Zoning Application ZA 85-49, DKL Securities, **prospective owner**, for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit an office for property located at No. 65 Walnut Street, as shown on the attached plan marked as APPENDIX "C" on the following basis:

- i) That the subject property be rezoned from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District;
- ii) That the "Parking and Loading Requirements" as contained in Section 18A of Zoning By-law 6593 be modified to include the following variance as a special requirement:
  - a) That notwithstanding TABLE 1 of Section 18(A)(1) no parking shall be required for the existing apartment unit.
- iii) That the amending by-law be added to Section 19B of Zoning By-law 6593 as Schedule S-927, and that the subject land on Zoning District Map E5 be notated S-927;
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E5;
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District.

The effect of the by-law is to permit office use on the first floor and an apartment unit on the second floor, within the existing building.



The by-law also permits the following uses: opticians' offices, optometrists' establishments, a photographer's or artist's studio, a barber shop or hairdressing establishment, a millinery shop and a wearing apparel workshop.

In addition the by-law deletes the requirement for one parking space for the existing apartment unit.

4. That approval be given to Zoning Application ZA 85-53, Econo Custom Homes, prospective owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, for property located at the rear of No. 725 Limeridge Road East, as shown on the attached map marked as APPENDIX "D", on the following basis:

- i) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
- ii) That the "R-4" (Small Lot Single-Family Detached) District regulations as contained in Section 9A of Zoning By-law No. 6593 be modified to include the following variance as a special requirement:
  - a) That notwithstanding the provisions of Section 9A (2) (c) of By-law No. 6593, the following special provisions shall apply to the subject lands:

**Intensity of Use Requirements:**

- 1. Subject to paragraph 2, every lot or tract of land within the "R-4" District for a single-family dwelling shall have an average lot width of not less than 10.0 metres and an average lot area of not less than 306.0 square metres.
- 2. No lot or tract of land within the "R-4" District for a single-family dwelling shall have a lot width of less than 9.0 metres or a lot area of less than 278.0 square metres.
- 3. In paragraph 2,
  - i) "average lot area" shall mean the numerical result obtained by dividing the sum of individual single-family lot areas by the total number of single-family lots zoned "R-4";
  - ii) "average lot width" shall mean the numerical result obtained by dividing the sum of individual single-family lot widths by the total number of single-family lots zoned "R-4";

- iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-928, and that the subject lands on Zoning District Map E-38A be notated S-928;
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-38A;
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, for property located at the rear of No. 725 Limeridge Road East, as shown on the attached map marked as APPENDIX "D".

The effect of the by-law is to permit the division of the subject property into two small lot single-family detached dwelling lots fronting onto Lawnhurst Drive.

In addition, the by-law provides for a modification to the provisions of Section 9A (2) (c) of the "R-4" District to recognize the creation of the lots by land severances through the Regional Land Division Committee.

5. That approval be given to amended Zoning Application ZA 85-52, Corporation 300 Fennell Avenue East (Hamilton) owner, for a modification to the established "G-3" (Public Parking Lots) for lands at the rear of No. 300 Fennell Avenue East as shown on the attached plan marked as APPENDIX "E" on the following basis:
  - i) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
    - a) That notwithstanding Section 13C(1) a vocational training school as an accessory use to a union office/hall shall be permitted in the building exisiting on the dated of the passing of the amending by-law.
  - ii) That the "Parking and Loading Requirements" as contained in Section 18A of By-law No. 6593 applicable to the subject lands, be modfied to include the following variance as a special requirement:
    - a) That notwithstanding TABLE 1 of Section 18A no parking shall be required for a vocational school as an accessory public use to a union office/hall in the existing building.
  - iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-929, and that the subject lands on Zoning District Maps E-16 and E-17 be notated S-929;
  - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-16 and E-17;

- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide a modification to the established "G-3" (Public Parking Lots) District for lands at the rear of No. 300 Fennell Avenue East.

The effect of the by-law is to permit the rear 20 feet of the existing building (approximately 1,920 sq. ft.) to be used for a vocational training school in conjunction with the union office/hall and banquet centre established in the front portion of the building.

In addition, the by-law will exempt the proposed accessory vocational school from providing on-site parking.

6. That approval be given to Zoning Application ZA 85-56, 603990 Ontario Limited, owner, to establish a modification to the "E-3" (High Density Multiple Dwellings) District regulations applicable to property located at No. 168 Jackson Street West, as shown on the attached plan marked as APPENDIX "F", on the following basis:

- i) That the "E-3" (High Multiple Dwellings) District regulations as contained in Section 11C of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special provision:
  - a) That notwithstanding Section 11C (1) offices shall be permitted in the existing building.
- ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-930, and that the subject lands on Zoning District Map W5 be notated S-930.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 an Zoning District Map W5.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- v) That the Durand Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" to "Commercial".

**Explanatory Note:** The purpose of the by-law is to provide for a modification to the established "E-3" (High Density Multiple Dwellings) District for property located at No. 168 Jackson Street West, as shown on the attached plan. The effect of the by-law is to permit offices for an investment consulting firm in the existing building.

7. That approval be given to Zoning Application ZA 85-57 Stelco Employees' (Primary Works) Credit Union Limited, owner, to establish a modification to the "G" (Neighbourhood Shopping Centre) District regulations applicable to property located at the south-west corner of Upper Sherman Avenue and Queensdale Avenue East, as shown on the attached map marked as APPENDIX "G" on the following basis:



- i) That the "G" (Neighbourhood Shopping Centre) District regulations as contained in Section 13 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance and restriction:
  - a) That notwithstanding the provisions of Section 13(1) of By-law No. 6593, the wholesaling and servicing of hearing aids and hearing aid accessories shall be permitted within the existing building.
- ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-931, and that the subject land on Zoning District Map E-25 be notated S-931.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-25.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide a modification to the established "G" (Neighbourhood Shopping Centre) District regulations for property located at the south-west corner of Upper Sherman Avenue and Queensdale Avenue East, as shown on the attached map marked as APPENDIX "G".

The effect of the by-law is to permit in addition to the existing banking and offices uses, the wholesaling and servicing of hearing aids and hearing aid accessories, in addition to the permitted retail sale of hearing aids.

8. That approval be given to Zoning Application ZA 85-51, 570896 Ontario Limited, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District, for property located at the rear of No. 1563 Main Street West, as shown on the attached plan marked as APPENDIX "H" on the following basis:
  - i) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District;
  - ii) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593, be modified to include the following variance as a special requirement:
    - a) That a landscaped strip having a width of not less than 1.5 metres shall be provided along the easterly side lot line which abuts a residential district.
  - iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-583a, and that the subject lands on Zoning District Map W-46 be notated S-583a;
  - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-46;



- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- vi) That the Ainslie Wood Neighbourhood Plan be amended by redesignating the subject lands from "Industrial" to a "Commercial" land use designation.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning of lands from "C" (Urban Protected Residential, etc.) District to "G-3 (Public Parking Lots) District.

The effect of the by-law is to permit property located at the rear of the commercially zoned property located at No. 1563 Main Street West, to be used for additional parking for a restaurant use.

In addition, the by-law requires that a 1.5 metre (4.92 ft.) wide landscaped strip be provided along the easterly side lot line of the parking lot which abuts a residential district.

9. That approval be given to an amended Zoning Application 85-50, by Sam Henson Apartments Ltd., owner, for a modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions applicable to the property located at Nos. 252, 262 and 268 James Street South as shown on the attached plan marked as APPENDIX "I", on the following basis:

- i) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
  - a) That notwithstanding Section 11A(1) of Zoning By-law No. 6593, medical offices, general offices, multiple family dwelling units, or any combination thereof, shall be permitted in the existing buildings and in building additions not to exceed a maximum gross floor area of 1,400 m<sup>2</sup>;
  - b) That medical offices shall only be permitted in the first and second storey of each existing building, and the first storey of any addition;
  - c) That any basement or cellar shall be used for storage only.
  - d) That notwithstanding Section 11A(2) of Zoning By-law No. 6593, no building or structure shall exceed 3 storeys or 16.76 m in height; and,
  - e) That no direct vehicular access be permitted onto James Street South from the subject lands, and that no parking be permitted in the yard adjacent to James Street South.
- ii) That Section 18A "Parking and Loading" Regulations of Zoning By-law No. 6593 applicable to the subject property be modified to include the following variances as special requirements:

- a) That notwithstanding Clause (g) of Subsection 1 and Clauses (a) and (c) of Subsection 4 of Table 1 of Section 18A of Zoning By-law No. 6593, a minimum of 31 parking spaces shall be provided on the site;
  - b) That notwithstanding Table 3 and Table 5 of Section 18A of Zoning By-law No. 6593, only one loading space having a minimum length of 9.0 m, a minimum width of 3.7 and a minimum height of 4.3 m shall be required;
  - c) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, not more than 5 parking spaces shall be permitted to have dimensions not less than 2.85 metres wide and 5.0 metres long; and,
  - d) That Sections 18A(11), 18A(12)(a), 18A(12)(b) and 18A (26) shall not apply.
- iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-932, and that the subject lands on Zoning District Map W6 be notated S-932;
  - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W6;
  - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide for a modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property located at at Nos. 252, 262 and 268 James Street South as shown on the attached key plan.

The effect of the by-law is to permit the conversion of the existing buildings into medical and/or general offices in addition to the already permitted residential units. Further, buildings additions of not more than 1,400 m<sup>2</sup> shall be permitted. The medical offices shall only be permitted in the first and second storeys of the existing buildings and in the first storey of any addition. The basements or cellars shall be used for storage only.

In addition the by-law provides for the following variances:

- o no direct access will be permitted from the subject land to James Street South and no parking will be permitted in the yard adjacent to James Street South;
- o a maximum height of 3 storeys or 16.76 m is permitted instead of the allowable 8 storeys or 26.0 m in height;
- o a minimum of 31 parking spaces are to be provided whereas up to 97 parking spaces are required;
- o 5 of the 31 parking spaces may be not less than 2.85 m wide and 5.0 metres long instead of the required 2.7 m in width and 6.0 m in length;

- o a minimum 1.5 m wide landscaped area shall not be required between the subject property and the adjacent residential district;
  - o parking can be located up to the street line for the portion of land within 3.0 m of the residential district;
  - o only one loading space will be required; and,
  - o no separation is required between the access driveway and the adjacent residential district whereas a minimum 3.0 m separation is normally required.
10. That the following responses be sent to the Hamilton Region Conservation Authority's (HRCA) resolution on Hamilton Beach, dated 1984 December 06:

HRCA Resolution 1 and 2

That Authority holdings be consolidated within certain sections of the Beach Strip as per the 'red shaded areas' on a plan dated August 1984 and herein referred to as 'Designated Areas'. That a high priority be given to the acquisition of properties within the 'Designated Areas'.

City Response

The City has no objection to the designated areas being used as a guide for acquisition as a short term measure. However, acquisitions should be limited to hardship cases only.

HRCA Resolution 3

That the City of Hamilton not object to the demolition of acquired residences within the 'Designated Areas' unless the building is of historical or architectural significance as defined by the Hamilton LACAC.

City Response

The City cannot support this condition at the present time. Demolition should be determined on the individual merits of the buildings including the historical and architectural significance as defined by the Hamilton LACAC as well as the condition of the buildings. A review of the agreement regarding demolition of residences should be conducted by the Real Estate Department, Building Department, Planning and Development Department and the HRCA.

HRCA Resolution 4

That acquisitions outside the 'Designated Areas' be limited to hardship cases and only if assurances are obtained from the City prior to the acquisition that a demolition permit will be granted.



### City Response

As stated previously, the City feels that acquisition should be limited to hardship cases only both inside and outside the designated areas and also that demolition should be determined on the individual merits of the buildings.

### HRCA Resolution 5

That the City of Hamilton and the Conservation Authority engage a consultant to undertake the preparation of an overall Beach Strip recreation/open space concept plan in order to determine a long term development strategy for the entire Beach Strip and that the selected concept be consistent with the main project objectives, i.e. to resolve water management problems and to develop the Beach Strip for recreation and related uses and that upon approval of the overall concept plan by the City of Hamilton and the Conservation Authority, the consultant prepare more detailed development plans for the 'Designated Areas' in order to allow limited recreational developments of the designated areas once public ownership has been secured.

### City Response

The City welcomes the review of Hamilton Beach policies and supports the preparation of a concept plan. However, the concept plan process should contain a feasibility study for Hamilton Beach as a mixed use area containing open space, residential, commercial and related uses. The concept plan should address the disposition of future studies such as detailed recreational development plans and possibly a neighbourhood plan for residential areas. The City supports the plan being carried out by a consultant. The City proposes that a Steering Committee be set up composed of City Council members, including the Ward Aldermen, HRCA members and community representatives both from the Beach Strip and the community at large to initiate and oversee the study. The City supports the Beach project's objectives to resolve water management problems, but depending on the outcome of the concept plan cannot at this time support the project's objective for the Beach to be used exclusively for recreation and related uses.

### HRCA Resolution 6

That adequate funding be set aside by the City of Hamilton and the HRCA in their respective 1985 budgets to undertake the aforementioned study on a 50-50 cost sharing basis and that staff be authorized to apply, on behalf of the City and Authority for any study grants applicable to this type of project.

### City Response

The City supports this resolution with the modification that budgets be applied for 1985 and 1986.

### HRCA Resolution 7

That the City be urged to upgrade its maintenance program on already acquired properties either within or outside the designated area.



### City Response

That the City will upgrade its property maintenance program where possible within its budget constraints.

11. That approval be given to **City Initiative 85-L** to amend By-law No. 79-275 as amended by By-law No. 82-220 by deleting Section 50 of APPENDIX "B".

**Explanatory Note:** The purpose of the By-law is to amend By-law No. 79-275 as amended by By-law No. 82-220 by deleting subsection 50 of APPENDIX "B".

The effect of the By-law is to remove the requirement for Site Plan Control on lands located on the east side of Upper Wentworth Street in the area north of Stone Church Road, as shown on the attached map marked as APPENDIX "J".

The subject lands are to be developed in accordance with an approved draft plan of subdivision (Aspen Estates Phase Three) for small lot single-family detached dwellings which are not usually subject to Site Plan Control.

12. (A) That approval be given to Application SA 79-03, John A. Parente and M. Pestana-Roca, owners, to establish a draft plan of subdivision located on the west side of Upper Paradise Road north of Stone Church Road, subject to the following conditions:
1. That this approval apply to the plan prepared by A. T. McLaren Limited, dated 1985 February 28, showing 30 lots and two blocks for street widening.
  2. That the owner acquire sufficient land to establish the north-south street at the westerly limit of the plan to the full required width.
  3. That the road allowances and widening for Upper Paradise Road be dedicated as public highways on the final plan.
  4. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  5. That the final plan conform with the zoning by-law approved under The Planning Act.
  6. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.

9. That the dead-ends and open side of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
10. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (B) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA 79-03), John A. Parente and M. Pestana-Roca, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (C) That the Gurnett Neighbourhood Plan be amended from the "attached housing" designation to "single and double" designation upon Registration of the Plan.
13. That the Region be requested to grant a one year extension to the draft approvals for "Mike Yaksich" Subdivision (Regional File No. 25T-78002), Rymal Industrial Estates No. 1 Subdivision (Regional File No. 25T-78017), Templemead No. 2 Subdivision (Regional File No. 25T-80007), Battleridge Subdivision (Regional File No. 25T-76024) and Caroga Manor Condominium (Regional File No. 25CDM-80005).
14. That By-law 84-252 respecting the conveyance of Land for Park Purposes be amended by deleting the words "or the size of the useability of the building or structure" from paragraph c) ii) of Section 1 in order to clarify the intent of the By-law.
15. That Item 9(B) of the Eighteenth Report of the Planning and Development Committee approved by City Council on 1985 June 25 be amended as follows:
- That the Riverdale East Neighbourhood Plan be changed in accordance with Map 1, attached hereto as APPENDIX "K" to indicate:
- . the walkway to remain as a natural pathway; and
  - . the walkway within the Strawberry Hill area to have a 20 foot right-of-way.
- Explanatory Note:** The residents feel that a resolution by City Council would assure them that the walkway will remain as a natural pathway.
16. (A) That the Region of Halton Draft Terms of Reference for the Burlington Beach Strip Master Plan appear to be compatible with Hamilton's planning objectives.

- (B) That a liason committee comprising of planning staff from the City of Hamilton, Hamilton-Wentworth and Halton Regions and the respective Conservation Authorities be established to share and exchange related information.
- (C) That the City Clerk be directed to forward the City Council resolution and a copy of the technical report to the Regional Municipalities of Halton and Hamilton-Wentworth.

**Explanatory Note:** The Region of Halton requested the City of Hamilton Council to review and comment on the Draft Terms of Reference for the Burlington Beach Strip Master Plan.

17. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee.

- a) 73 Beach Boulevard
- b) 258 Beach Boulevard
- c) 201 Ferguson Avenue South
- d) 1259 Upper Gage Avenue
- e) 890 Barton Street East
- f) 51 Barton Street East
- g) 261 John Street North
- h) 263 John Street North
- i) 173 Niagara Street

18. That an Offer to Purchase the lands of the Corporation of the City of Hamilton known as Lot 1, Plan M-352, Hamilton Industrial Park No. 3, duly executed on 1985 August 06 by the Purchaser, Hamilton and District Home Builders Association and scheduled for closing on 1985 November 05 be completed.

The property is composed of a parcel of land located on the south side of Rymal Road East having a frontage of 31.808 m (104.35 feet) by a depth of 91.44 m/79.24 m (300 feet/260 feet) and containing an area of 3,949 m<sup>2</sup> (.9758 acres) and more particularly described as Lot 1, Plan M-352.

The purchase price is \$48,790.00. A deposit cheque in the amount of \$1,000. is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% real estate commission to State Realty Limited whose agent, Mr. Andrew Kosior, acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out on the form attached hereto and marked APPENDIX "L".

In addition, this Offer to Purchase is conditional until closing for completion of the following conditions:

- a) This Offer to Purchase is conditional upon ratification by the general membership of the H.D.H.B.A. until 1985 September 07. Failing which, this Offer to be considered



null and void, and the deposit shall be returned to the Purchaser in full, without interest or penalty.

- b) Approval from the City Traffic Department for an entrance for access purposes from Rymal Road.
- c) The purchaser obtaining at its own expense, a permit to erect an office building to house the Hamilton and District Home Builders Association.

Failing the satisfaction of these conditions, this offer shall be null and void and the deposit shall be returned to the purchaser without interest or deduction.

- d) It is understood and agreed that the Vendor is responsible at its own cost for the installation of all storm, sanitary sewers, water lines, their connections and laterals under the street to the property being purchased.

That the Regional Engineering Department proceed on behalf of the City of Hamilton to install all storm, sanitary sewers, and water line to Lots 1-6, Plan M-352 and the Finance Committee be requested to establish the method of financing the cost of these works.

- 19. That the closing date for the sale of Parts 1 and 2 on Plan 62R-6932 Keefer Court to 596231 Ontario Limited be extended from 1985 July 26 to 1985 September 26.
- 20. Than an Option to Purchase the property at 402 Birch Avenue duly executed by Edward Martin in Trust on 1985 July 02 and scheduled for closing on or before 1985 December 03 be completed.

This property required in connection with the acquisition of lands in the Alpha Enclave (Plan 4) has a frontage of 25 feet, more or less by a depth of approximately 93.79 feet with structures erected thereon. The purchase price of \$18,000.00 is to be charged to account 0280-35.

- 21. That approval be given for the sale of the vacant lots at 101 Ferguson Avenue South to Diton Construction Inc. for the total amount of \$18,000.00. The subject parcel measures 50 feet (15.24 m) more or less, along the easterly limit of Ferguson Avenue South by a depth of 100 feet (30.48 m) more or less, shown outlined in red on Plan 62R-4878. This transaction is scheduled to close on 1895 October 03. The proceeds of this sale are to be credited to account number 0412-E7-1016. A \$1,000. deposit is being held by the City Treasurer pending approval of this transaction.

It is under stood and agreed that the Vendor, upon completion of this transaction, will pay a commission of 5% of the purchase price to Lounsbury Realty Ltd., whose agent, Steve Hill, acted in this matter.



22. That the Offer to Purchase in respect of the sale of property at the north-west corner of Fullerton and Princess to Victoria Park Community Homes Inc. adopted by City Council on 1983 November 29, as Item 12 of the Twenty-Third Report of the Planning and Development Committee be amended as follows:
- a) The purchase price will be reduced to \$3,000 from \$14,000 due to unsuitable soil conditions found after execution of the documents,
  - b) The purchaser agrees to execute any document required to finalize this transaction.
  - c) The City Solicitor be directed to finalize this transaction as soon as possible.
23. (A) That the "Gateway Treatment" concept, prepared by Moorhead Fleming Corban McCarthy, dated July 1985 and attached hereto as APPENDIX "M" be implemented at the five (5) major "gateway" intersections within the Study Area of the Downtown Hamilton Action Plan (i.e., York at Bay, James at York/Wilson, King at Wellington, John at Main and, Main at Bay);
- (B) That pursuant to the preparation of detailed design drawings and specifications, tenders be called for the construction of the "gateways";
- (C) That the City Solicitor be authorized and directed to prepare appropriate Agreements between the City of Hamilton and The Region of Hamilton-Wentworth and The Board of Education for The City of Hamilton where "gateways" are to be developed on the lands of these other public bodies; and,
- (D) That the Mayor and City Clerk be hereby authorized to execute the Agreements to which reference is made in (C) above.
24. (A) That the firm of Moorhead Fleming Corban McCarthy, Landscape Architects, be retained to prepare the design, implementation drawings, specifications, tender forms and, other information necessary for the City of Hamilton to obtain competitive tenders for the Phase III extension of the Downtown Action Plan, in accordance with their (the Architect's) written proposal dated 1985 June 24 - outlining previous experience, inter-face with prior phases and other features, fees and, assigned staff - at a cost, including fees and expenses, not to exceed sixty five thousand, two hundred ten dollars (\$65,210.00); and,
- (B) That the Mayor and City Clerk be hereby authorized to execute an agreement satisfactory to the City Solicitor in respect of the contract awarded as per (A) above.
25. (A) That the Department of Community Development be directed to apply to the Provincial Government's Ministry of Health for a grant of two hundred and fifty thousand dollars (\$250,000.00) for the implementation of a loan programme to rehabilitate Second Level Lodging Homes occupied by former psychiatric patients.

- (B) That the Department of Community Development be authorized to administer the terms and conditions of the loan programme as outlined in the form attached hereto as APPENDIX "N") and to facilitate the processing of the applications through the appropriate Social Agencies which will administer the social requirements for the programme.
26. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.).

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

#### Ontario Home Renewal Programme

(a)	W. Searles	166 Haddon Avenue South
(b)	A. Jankowski	104 Westwood Avenue
(c)	L. Watts	91 Royal Avenue
(d)	A. Lane	284 Bowman Street
(e)	N. Roe	129 Haddon Avenue South
(f)	C. Piper	20 Melvin Avenue

#### Hamilton Rehabilitation Programme

(a)	P. Krija	102 Niagara Street
(b)	I. Ramirez/C. Nemeth	221 Fairleigh Avenue South
(c)	J. Deeley	18 East 24th Street

27. (A) That a painted metal sign be constructed and installed at the Normanhurst Community Centre at a cost not to exceed \$1,200.00 per the attached plan marked as APPENDIX "O".
- (B) That the costs in item (A) above be charged to account #0405-N91015. There are sufficient funds in the above account.
28. (A) That the request of the Westdale Merchants Association to adopt a by-law designating a Business Improvement Area as indicated on Schedule "A" attached hereto as APPENDIX "P" be approved; and,
- (B) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council a by-law pursuant to subsection (1), Section 217, the Municipal Act, R.S.O. 1980, following the appropriate circularization process.



29. (A) That the request of of the Locke Street Business Association (Locke Place) to adopt a by-law designating a Business Improvement Area as generally indicated on Schedule "B" attached hereto as APPENDIX " Q", be approved; and,  
  
(B) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council a by-law pursuant to Subsection (1), Section 217, The Municipal Act, R.S.O. 1980, following the appropriate circularization procedure.
30. (A) That the request of the Ottawa Street North Business Association to adopt a by-law designating a Business Improvement Area as indicated on Schedule "A" attached hereto as APPENDIX "R" be approved; and,  
  
(B) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council a by-law pursuant to Subsection (1), Section 217, The Municipal Act, R.S.O. 1980, following the appropriate circularization procedures.
31. (A) That a grant and repayable loan in the amount of five thousand dollars (\$5,000.00) be approved for Mr. W. Beckingham , 69 Bunker Hill Drive, for the adaptation of his home for his son's handicap.  
  
(B) That subject to approval, the Lien be registered on Title indicating that a forgivable grant in the amount of two thousand five hundred dollars (\$2,500.00) be earned over a five (5) year period, and the balance of two thousand five hundred dollars (\$2,500.00) be repaid to the Corporation of the City of Hamilton at the time of the sale of the property. The interest rate on the repayable portion will be zero percent.
32. That the account of Yates and Yates, Barristers and Solicitors, dated 1985 1985 May 21 in the amount of \$3,915.58 for preparation of Agreement of Purchase and Sale for Block 101 and for finalization of Listing Agreement with Metropolitan Hamilton Real Estate Board be paid. This amount to be financed from the proceeds of the sale of Block 101.
33. (A) That the Corporation of the City of Hamilton accept the sum of \$64,576.48 cash payment in lieu of 5% dedication in connection with "Paradise Acres - Phase Two", final plan of subdivision.  
  
**Note:** These lands are located East of Upper Paradise Road and South of Stone Church Road West in the Falkirk East Neighbourhood, Hamilton.  
  
(B) That the Corporation of the City of Hamilton accept the sum of \$25,689.86 as cash payment in lieu of 5% dedication in connection with "Aspen Estates - Phase Three", final plan of subdivision.  
  
**Note:** These lands are located East of Upper Wentworth Street between Stone Church Road East and Southpark Avenue in the Rushdale Neighbourhood, Hamilton.  
  
(C) That the Corporation of the City of Hamilton accept the sum of \$3,541.04 as cash payment in lieu of 5% dedication in connection with "Ottawa Place - Phase One", final plan of subdivision.

**Note:** These lands are located west of Upper Ottawa Street and north of Rymal Road East in the Templemead Neighbourhood, Hamilton.

- (D) That the Corporation of the City of Hamilton accept the sum of \$5,842.36 as cash payment in lieu of 5% dedication in connection with "Eleanor Gardens - Phase Five Addition", final plan of subdivision.

**Note:** These lands are located west of Upper Gage Avenue and south of Stone Church Road East in the Eleanor Neighbourhood, Hamilton.

34. (A) That City Council give approval to the "Intent to Designate" the properties at Nos. 207, 209 and 211 Caroline Street South as buildings of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.

- (B) That the City Solicitor be authorized and directed to take the appropriate action to have these properties designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of the members of City Council as APPENDIX "S" are the "Reasons for Designation" for these properties as prepared by L.A.C.A.C.

The Committee also wishes to advise that the owners of these properties have requested heritage designation.

35. (A) That City Council give approval to the "Intent to Designate" the property at 455 Bay Street North as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.

- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of City Council as APPENDIX "T" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

The Committee also wishes to advise that the owner of this property has requested heritage designation.

36. (A) That City Council give approval to the "Intent to Designate" the property at 469 Bay Street North as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act.

- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.



**Note:** Attached for the information of City Council as APPENDIX "U" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

37. (A) That City Council give approval to the "Intent to Designate" the property at 126 James Street South as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of City Council as APPENDIX "V" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

38. (A) That City Council give approval to the "Intent to Designate" the property at 158 James Street South as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1974.

**Note:** Attached for the information of City Council as APPENDIX "W" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

39. (A) That City Council give approval to the "Intent to Designate" the property at 188 Markland Street as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of City Council as APPENDIX "X" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

40. (A) That City Council give approval to the "Intent to Designate" the property at 28 South Street as a building of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1974.
- (B) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

**Note:** Attached for the information of City Council as APPENDIX "Y" is the "Reason for Designation" for this property as prepared by L.A.C.A.C.

41. That leave be granted to introduce the following Bills:-

- a) Bill C-76 By-law to Amend Zoning By-law No. 6593 Respecting Wholesale Establishments. ("JJ" and KK" District Regulations)
- b) Bill C-77 By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the South Side of Rymal Road West at Garth Street.
- c) Bill C-78 By-law to Adopt Official Plan Amendment No. 31 Respecting Lands Located on the East and West Sides of Upper Wentworth Street Between Mohawk Road East and Limeridge Road East.
- d) Bill C-80 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 273 and 279 East Avenue North.
- e) Bill C-81 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 201 Ferguson Avenue South.
- f) Bill C-82 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1179 Upper Sherman Avenue.
- g) Bill C-83 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 32 - 120 and 167 - 265 Pottruff Road North.
- h) Bill C-84 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of Upper Wentworth Street, Between Mohawk Road East and Limeridge Road East, in the Vicinity of Kingfisher Drive.
- i) Bill C-85 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 841 and 849 Upper Wentworth Street and Rear Land.
- j) Bill C-86 By-law to Amend By-law No. 84-252 Respecting Conveyance of Land for Park Purposes.
- k) Bill C-87 By-law to Designate the Property Located at Municipal No. 250 James Street South as Property of Historic and Architectural Value and Interest.

- 1) Bill C-88 By-law to Designate the Property  
Located at Municipal No. 316 James  
Street South as Property of Historic  
and Architectural Value and Interest.
- m) Bill C-89 By-law to Designate the Property  
Located at Municipal Nos. 109 George  
Street as Property of Historic and  
Architectural Value and Interest.
- n) Bill C-90 By-law to Designate the Property  
Located at Municipal No. 433 Bay Street  
North as Property of Historic and  
Architectural Value and Interest.
- o) Bill C-91 By-law to Designate the Property  
Located at Municipal No. 107 George  
Street as Property of Historic and  
Architectural Value and Interest.

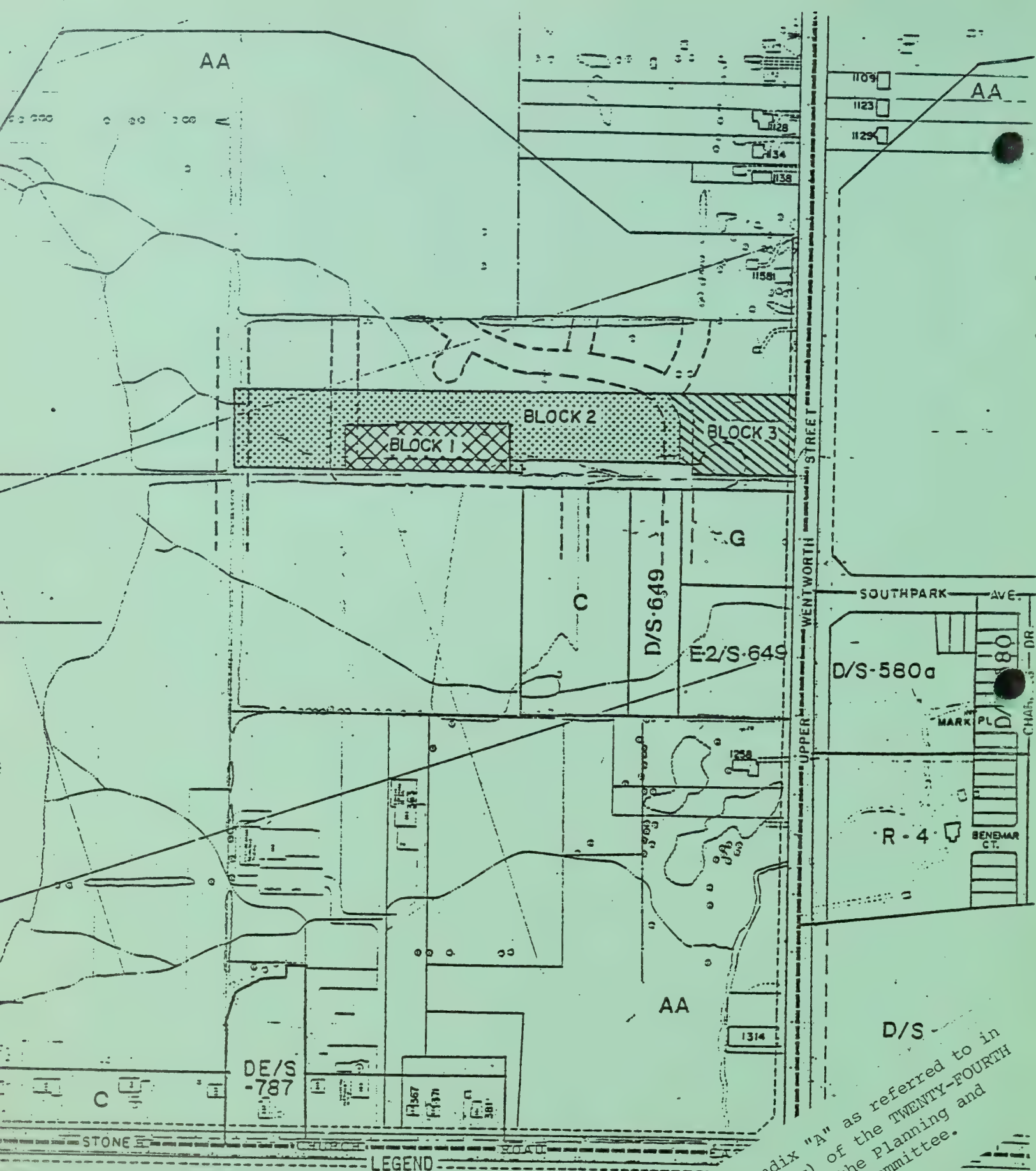
Respectfully submitted,




Alderman W. M. McCulloch, Chairman  
Planning and Development Committee

John D. Thompson, Secretary  
Planning and Development Committee  
JDT:mjw

1985 August 14





- LEGEND
- Proposed change in zoning from "AA" (Agricultural)
- BLOCK 1  "C" (Urban Protected Residential, etc.) District
- BLOCK 2  "R-4" (Small Lot Single-family Detached) District
- BLOCK 3  "R-4" (Small Lot Single-family Detached) District - Modified

Appendix "A" as referred to in  
Item 1(c) of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.



MAP No.

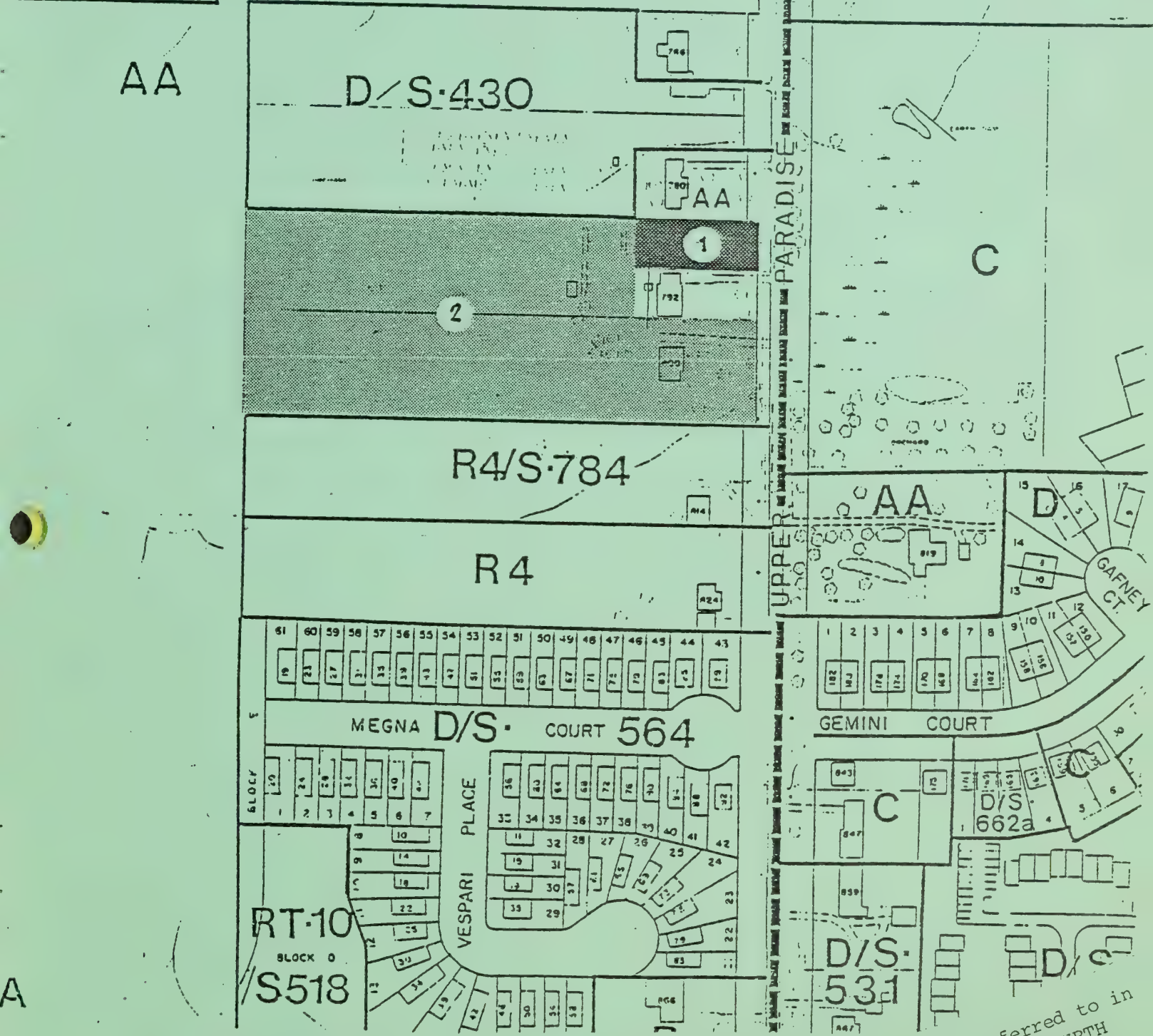


GOLDWIN



C/S-320

D/S-452

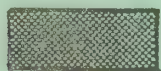
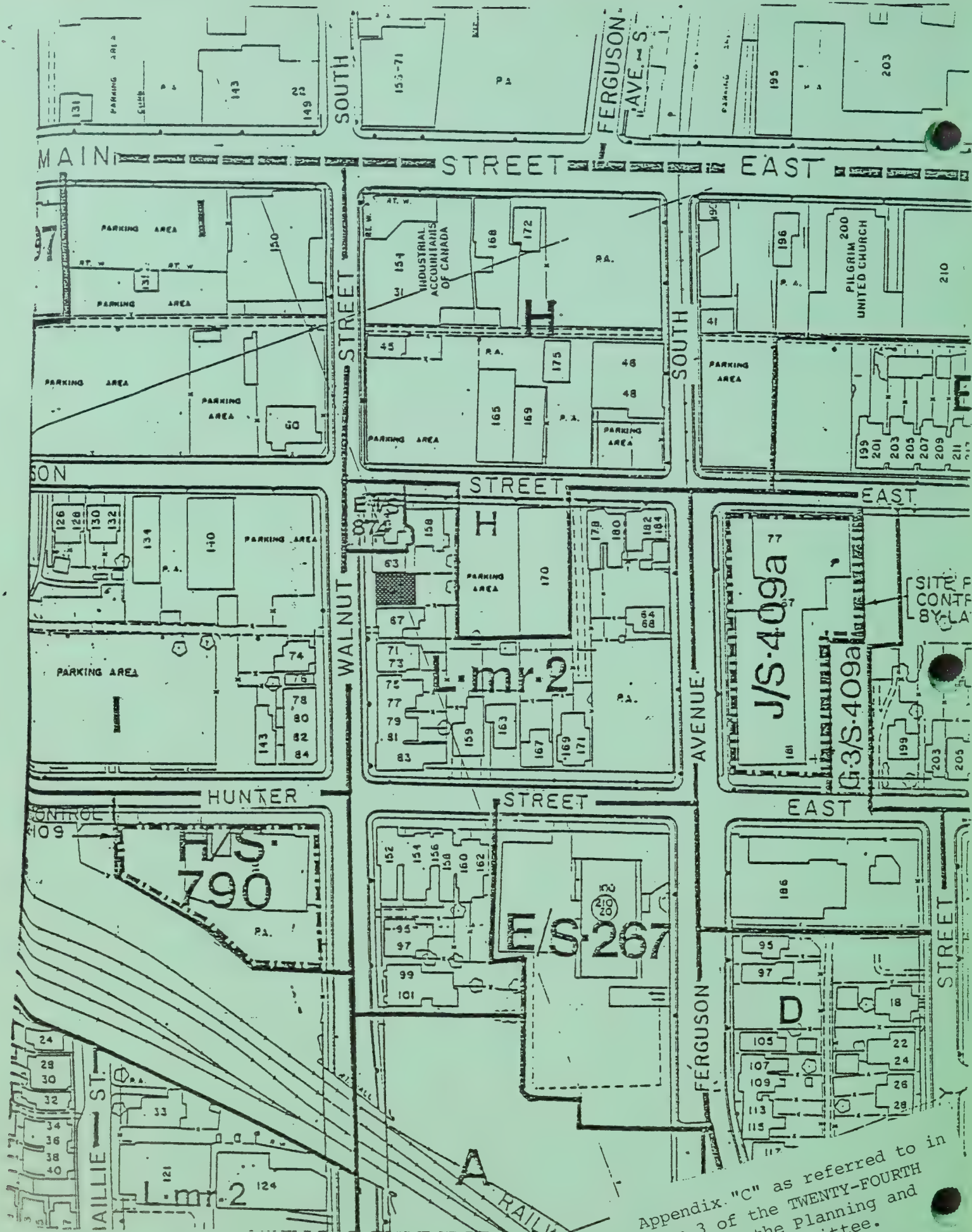
105



### LEGEND

- Block 1  Change in zoning from "AA" (Agricultural) to "C" (Urban Protected Residential, etc.) District.
- Block 2  "RT-10" (Townhouse) District.

Appendix "B" as referred to in Item 2 of the TWENTY-FOURTH Report of the Planning and Development Committee.



SITE OF THE APPLICATION

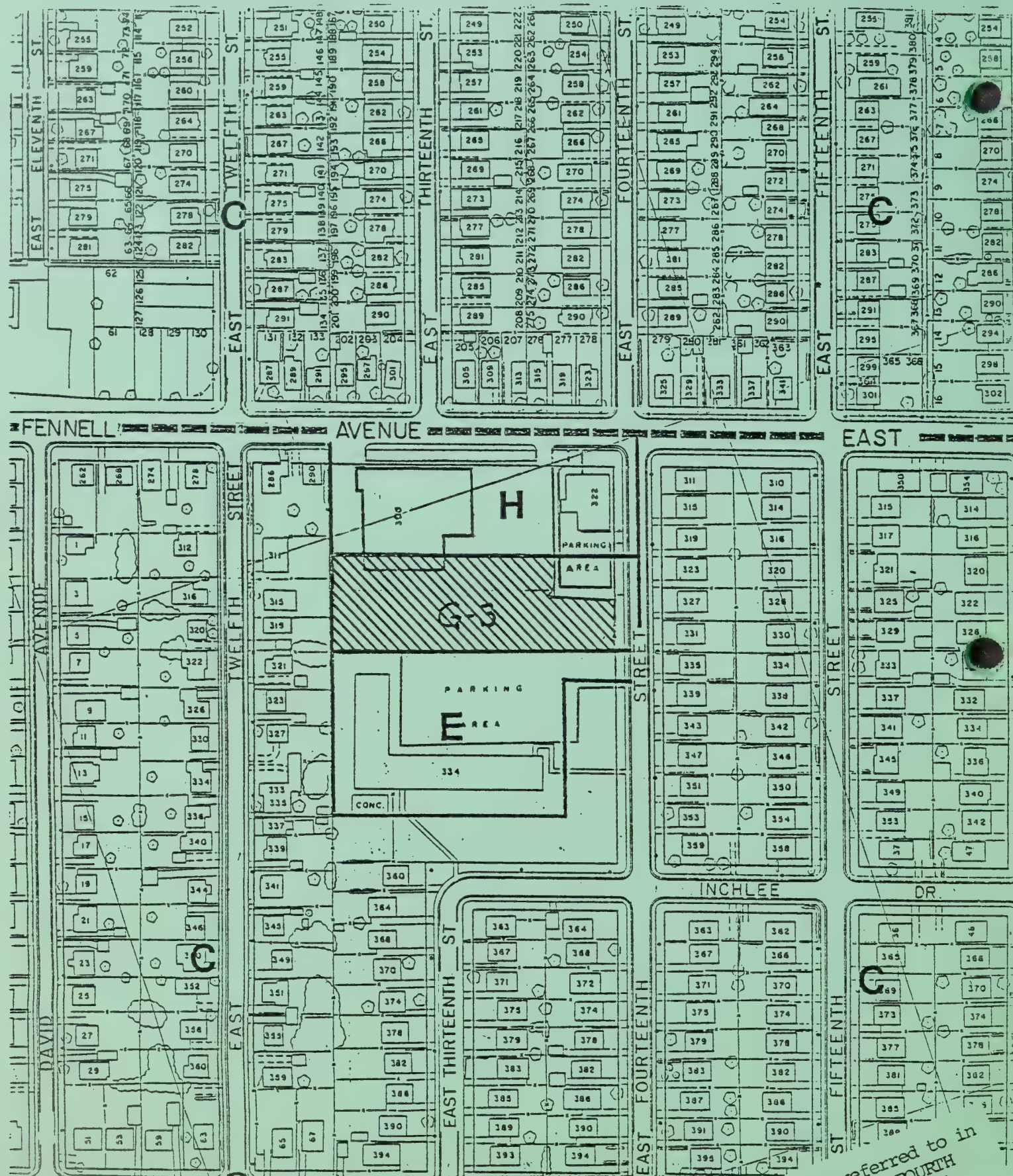
Appendix "C" as referred to in  
Item 3 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

2A85-49



D





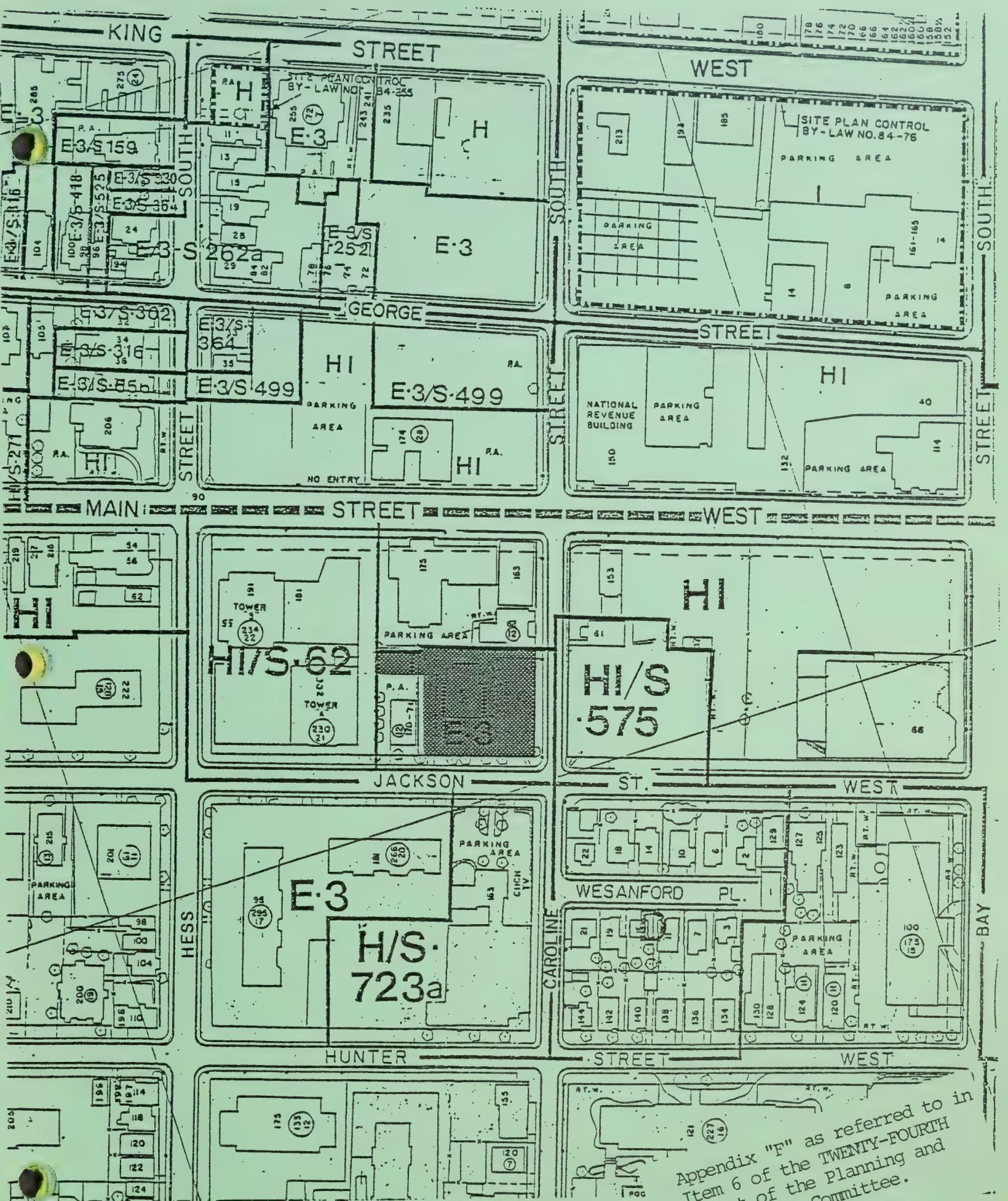
# LEGEND.



SITE OF THE APPLICATION.

Appendix "E" as referred to in  
Item 5 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.





SITE OF THE APPLICATION



EASTMOUNT PARK

C

QUEENSDALE

AVENUE

AVENUE

MUNN

STREET

STREET

EAST

SECOND

THIRTY

EAST

EAST TWENTY EIGHTH ST

UPPER

SHERMAN

FIRST

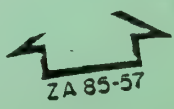
THIRTY

EAST



SITE OF THE APPLICATION

Appendix "G" as referred to in Item 7 of the TWENTY-FOURTH Report of the Planning and Development Committee.



ZA 85-57





# LEGEND.



SITE OF THE APPLICATION.

Appendix "H" as referred to in  
Item 8 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.





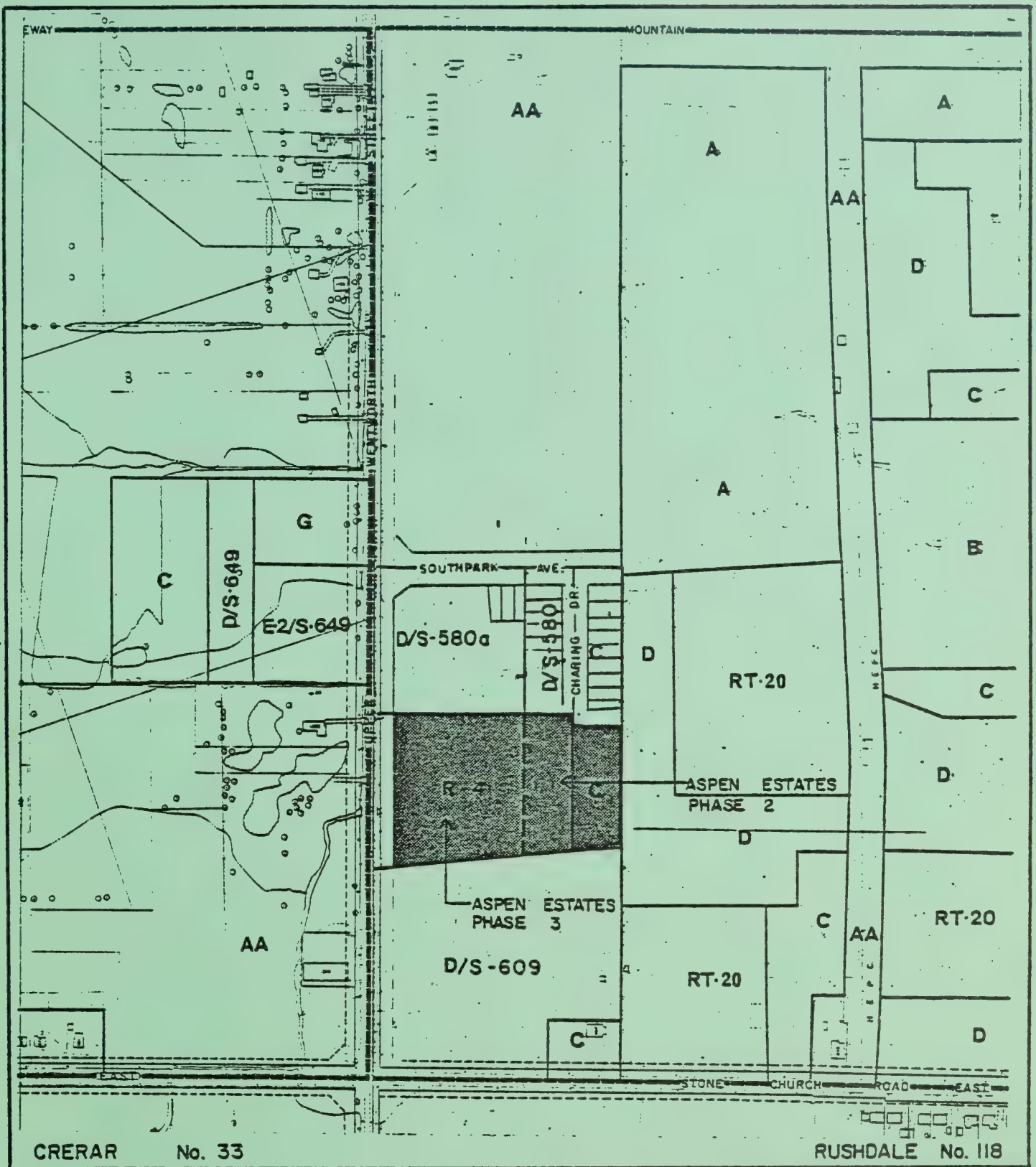


 SITE OF THE APPLICATION

Appendix "I" as referred to in  
Item 9 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

2485-50  
MAP No.





# CITY OF HAMILTON

## APPENDIX "A"

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



LANDS SUBJECT TO  
BY-LAW 82-220.

North







Appendix "J" as referred to in  
Item 11 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

No.

# LAND USE

## RESIDENTIAL

-  single & double
-  attached housing
-  low density appts.
-  medium density appts.

## COMMERCIAL

-  CIVIC & INSTITUTIONAL
-  PARK & RECREATIONAL
-  OPEN SPACE
-  UTILITIES

PROPOSED CHANGE  
FROM ROADWAY  
LINK TO  
PEDESTRIAN  
LINK

STRAWBERRY  
HILLS  
AREA

SECOND ACCESS  
LAKE AVENUE

Appendix "K" as referred to in  
Item 15 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

Approved  
Planning 34. W 404. Council 42. 3. 1964  
Revisions

1/20/64	1/20/64	1/20/64	1/20/64
1/20/64	1/20/64	1/20/64	1/20/64
1/20/64	1/20/64	1/20/64	1/20/64
1/20/64	1/20/64	1/20/64	1/20/64

CITY OF HAMILTON  
PLANNING DEPARTMENT

RIVERDALE EAST  
APPROVED PLAN



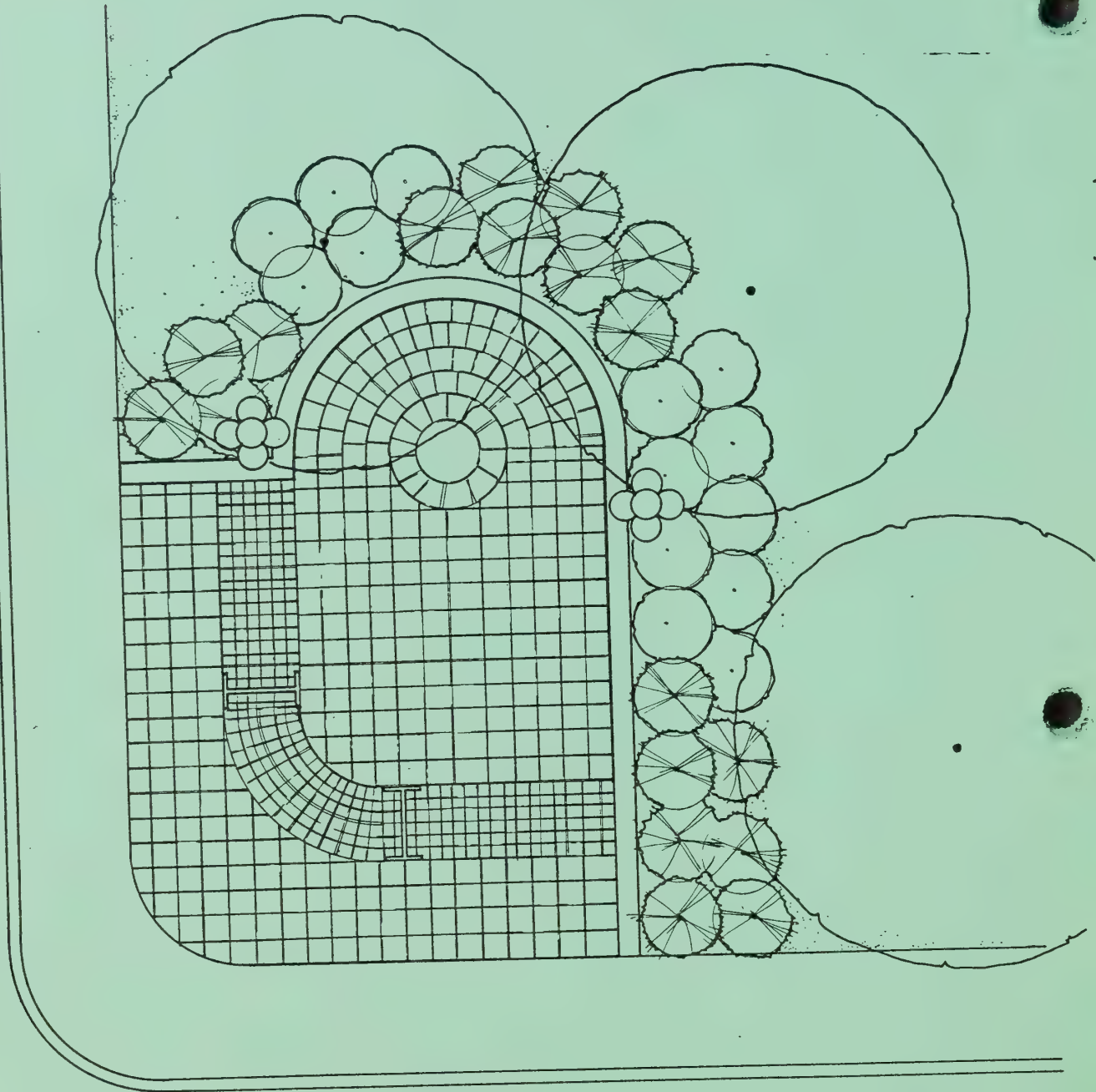
SCALE 1" = 100'



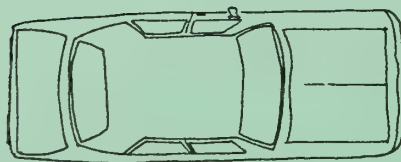
- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:
- (a) to pay municipal, realty and business taxes;
  - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
  - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
  - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
  - (e) to pay building permit application fee;
  - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
  - (g) to pay for the connection of all utilities to the premises;
  - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
  - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
  - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:
- 1. That the transferee shall commence construction of a building, having a minimum building area of 4000 square feet, 2000 sq. ft. on each of the two levels upon the hereinbefore described land by not later than May 5th, 1986.  
  
Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
  - 2. That the transferee shall complete construction of the said building by not later than May 5th, 1987.  
  
The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
  - 3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Appendix "L" as referred to in  
Item 18 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

Bay Street



Main Street



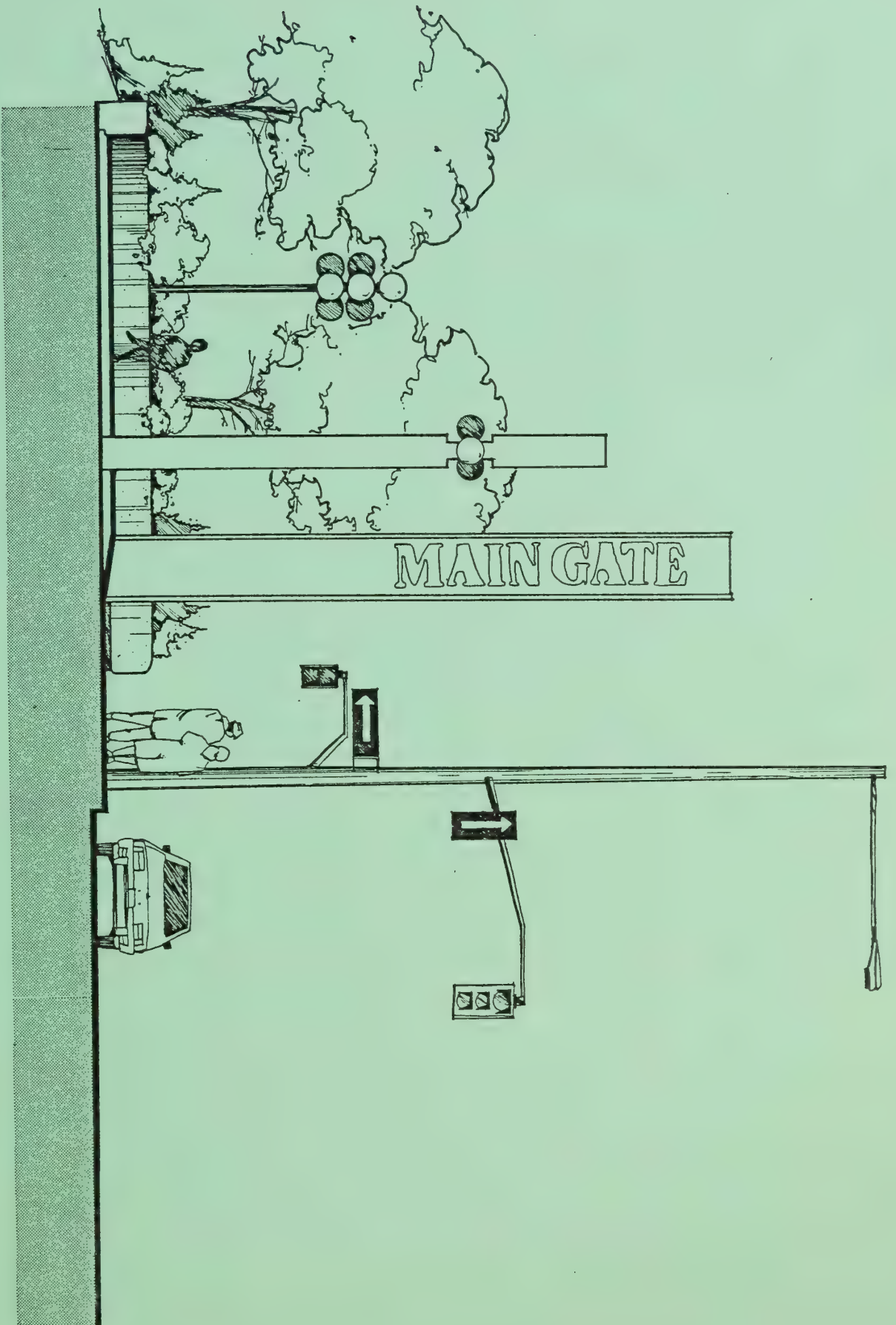
Appendix "M" as referred to in  
Item 23 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

Downtown Action Plan  
Hamilton, Ontario  
Gateway Treatment  
Preliminary Concept  
July 1985



Landscapes Architect  
Resource Planning  
33 Brien Street  
Toronto, Ontario  
M5A 1P7  
(416) 596 8225





**Downtown Action Plan**  
 Hamilton, Ontario  
**Gateway Treatment**  
 Preliminary Concept  
 July 1985

**Moorehead  
 Fleming  
 Colburn  
 McCreith**

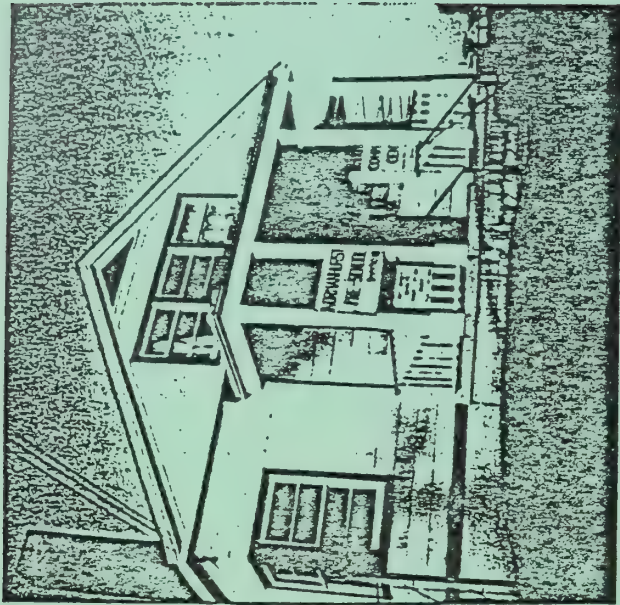
**Landscape Architects**  
 Resource Partners  
 33 Bloor Street  
 Toronto, Ontario  
 M5A 1R7  
 (416) 366 9238

Loan Programme, Second Level Lodging Homes -  
Rehabilitation Programme Procedures

1. The owner of the building must make application.
2. No income requirements of owner.
3. Homes must be in existence and operating for at least one year before making application.
4. The majority of the occupants of the home must be former psychiatric patients.
5. All applications must be approved by the City's Planning and Development Committee and City Council.
6. The only eligible items for rehabilitation are those found needing repair under the Property Standards By-law, Fire Code or the Provincial Health regulations.
7. Extensions and cosmetic improvements are not eligible.
8. Only one loan per home allowed, and all deficiencies must be completed under the original application.
9. All completed work to be approved and inspected by the City of Hamilton.
10. Owner required to obtain two estimates for all work required and these estimates must be acceptable to the City.
11. Grants are not permitted and the maximum loan amount will be established at \$7,000. per Psychiatric patient housed to a maximum of \$50,000. per home.
12. The interest rate is 3 percent per year, amortized over ten years.
13. Monthly repayments to be credited to the loan programme account, to be reused in processing additional loans.
14. There must be sufficient equity in the property to cover outstanding mortgages and current municipal taxes must be up-to-date.

Appendix "N" as referred to in Item 25(b) of the TWENTY-FOURTH Report of the Planning and Development Committee.

15. Loan repayments transferable to new owner upon approval by City, and retention of home for psychiatric out patients.
16. If status as second level lodging house is lost, then the outstanding loan becomes due and payable.
17. All loans to be secured by placing liens on the property.
18. All applications will be processed on a first-come first-served basis.



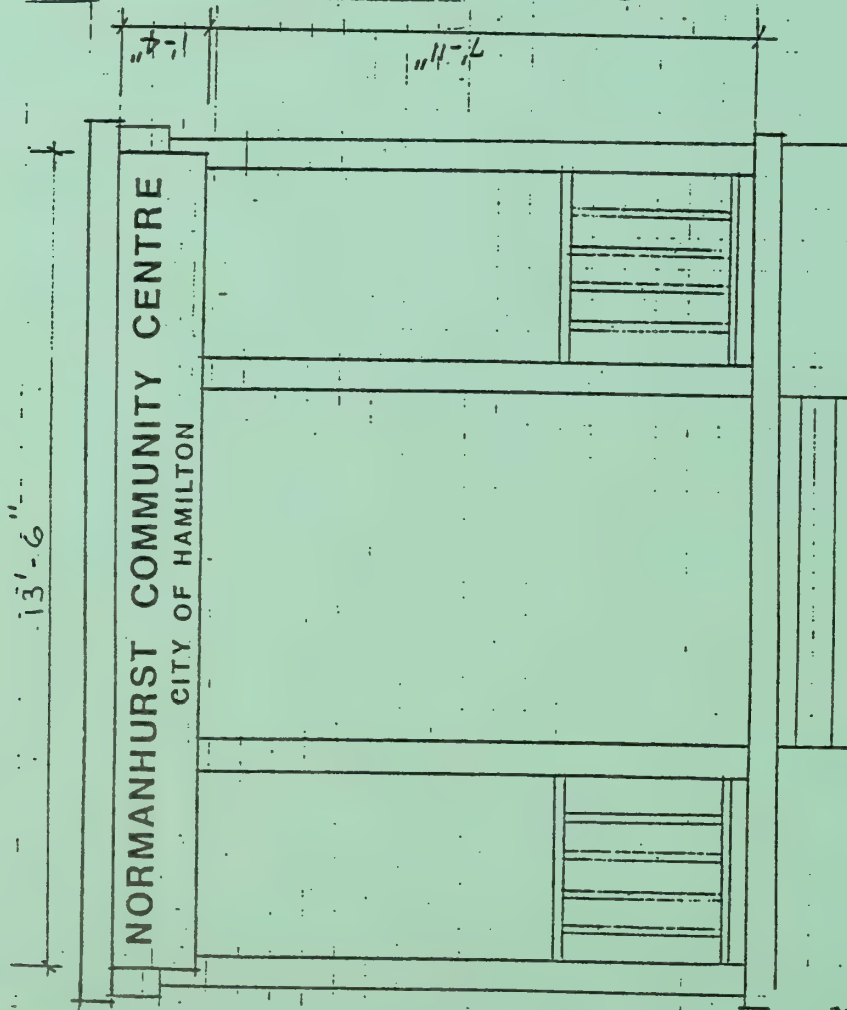
PAINTED METAL SIGN (13'-6" x 1'-4")

LARGE LETTERS: 6" x 1/2" THICK

SMALL LETTERS: 3" x 1/4" THICK

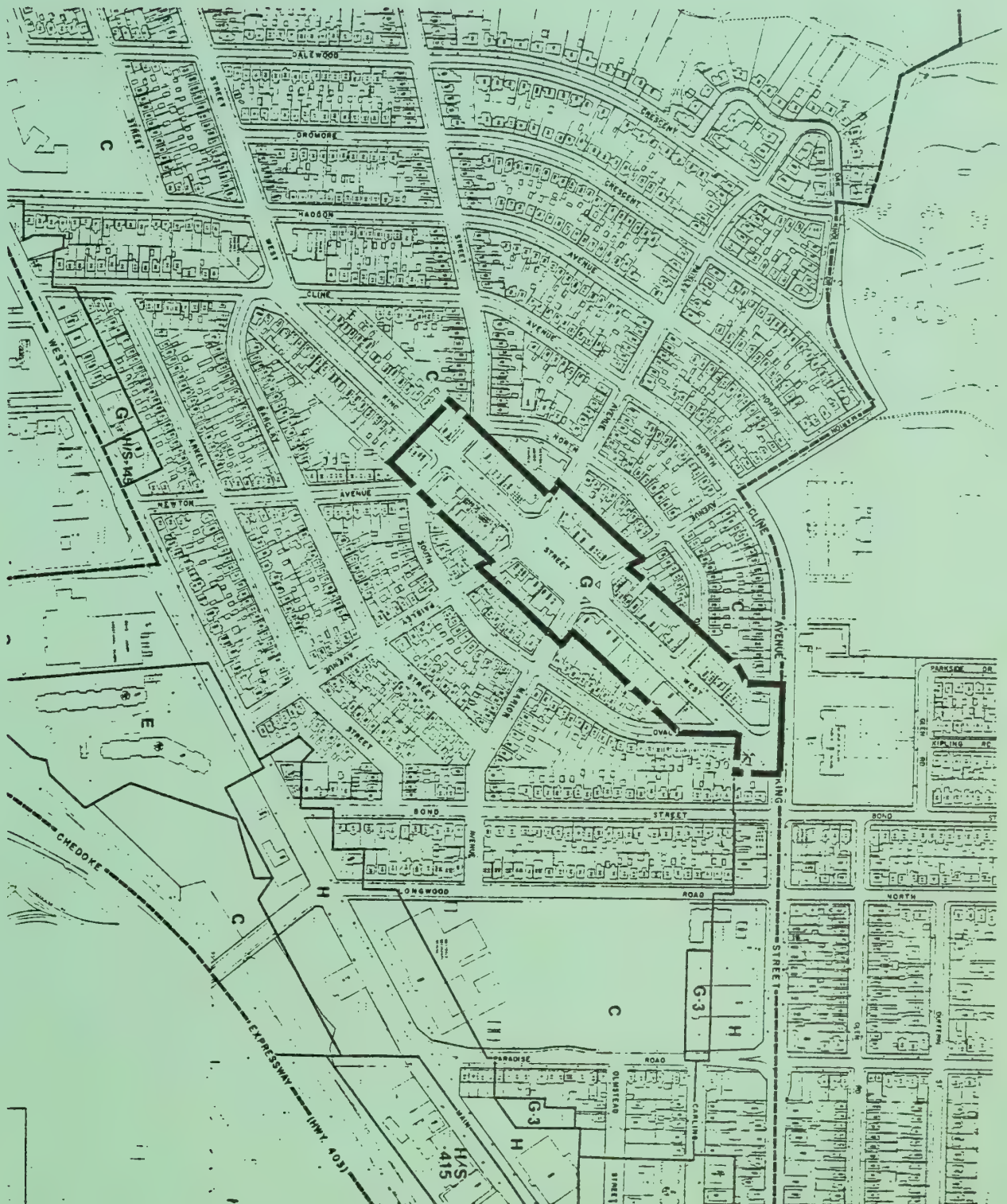
COST \$1200.00

JUNE 10, 1985.



Appendix "O" as referred to in  
Item 27 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

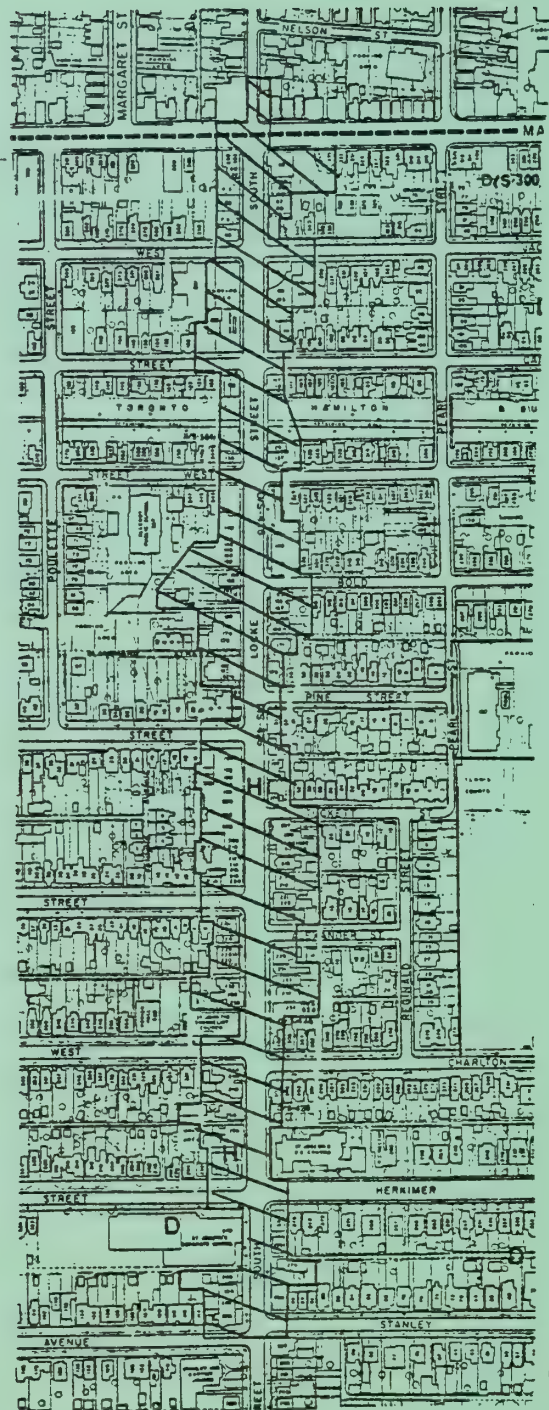





— — — — —  
This is Schedule  
1985.

WESTDALE BUSINESS IMPROVEMENT AREA  
to By-law No. , passed on the day of ,

Appendix "P" as referred to in  
Item 28 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.



 Lands to be designated "Business Improvement Area"

Bill No.

This is Schedule "B" to By-law No. 8 - , passed on the day of 198 .

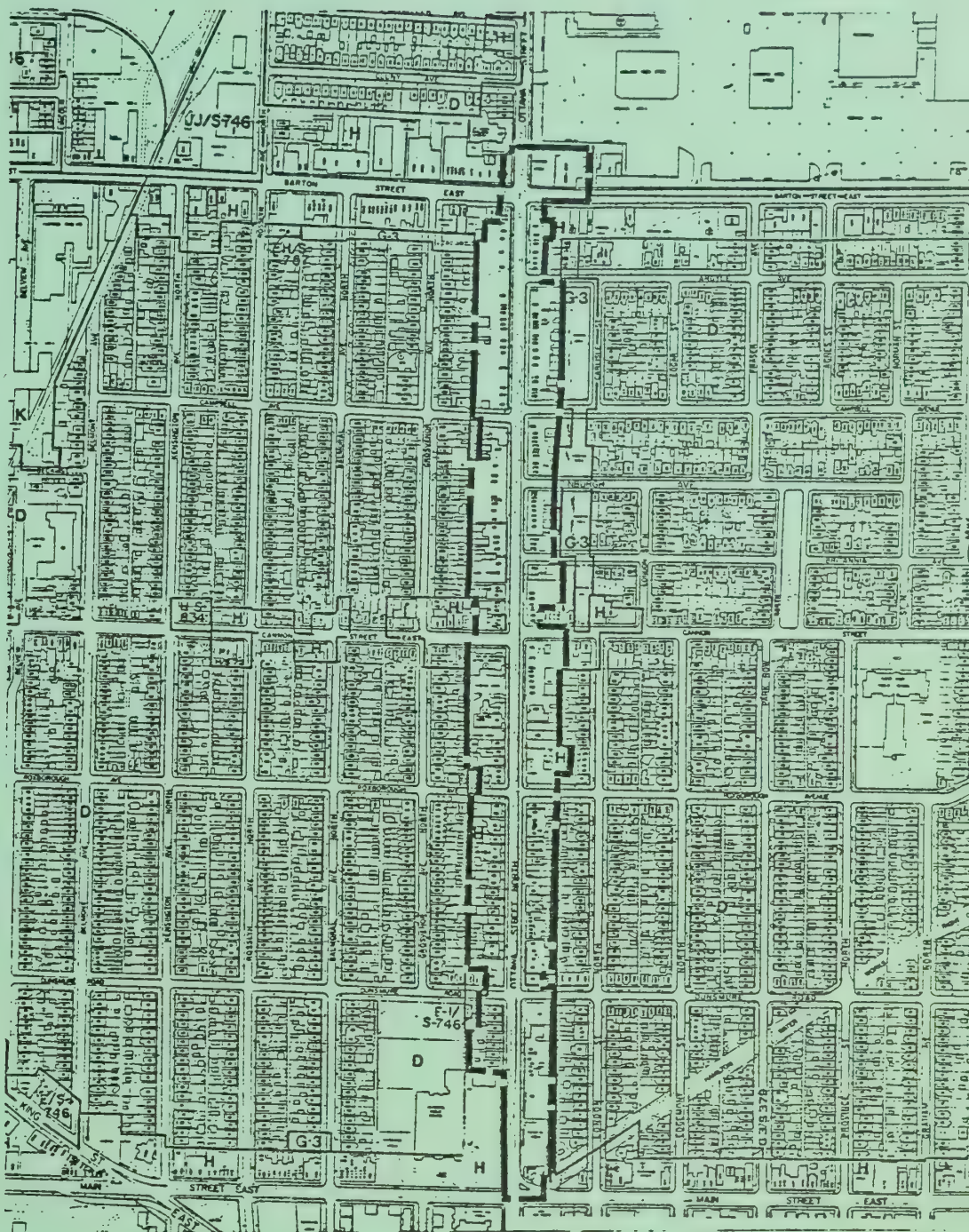
THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

Appendix "Q" as referred to in Item 29 of the TWENTY-FOURTH Report of the Planning and Development Committee.





Ottawa Street North Business Improvement Area

This is Schedule to By-law No. , passed on the day of , 1985.

Appendix "R" as referred to in Item 30 of the TWENTY-FOURTH Report of the Planning and Development Committee.

## REASONS FOR DESIGNATION

### 207 - 211 Caroline Street South

The three brick rowhouses at 207-211 Caroline Street South, located at the southeast corner of Robinson Street, were built in 1887 by James Jobson. Originally from Dublin, Ireland, Mr. Jobson had purchased the property in the 1850's moved into #211 in 1892, and built the house next door at #213 for his niece, Annie Morrow Treshman in 1910. Development of the family property was continued by his nephew James Morrow who built the two adjacent houses at #215 and #217 in 1904 and 1913, respectively.

Designed uniformly as a terrace, 207-211 Caroline St. South is Victorian in character, displaying such popular features as the one-storey bay window and contrasting brick and stone lintels. The buildings are further unified by a continuous verandah across the front facade, added shortly after construction. As a group the terrace contributes a strong heritage element to the Caroline Street South street-scape.

Important to the conservation of 207-211 Caroline Street South is the preservation of the original features of the front and north facade.

Appendix "S" as referred to in  
Item 34 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.



## REASONS FOR DESIGNATION

### 455 Bay Street North, Hamilton

Located near the northern end of Bay Street, 455 is a one-storey brick residence built in 1900 by Charles Irish, a shoemaker by trade. Designed in the traditional Ontario Cottage style, the house adds architectural character and a sense of continuity to the important residential streetscape of Bay St. North. The building presents a lively street facade featuring a central gable, circular window, brick ribbing, and large windows flanking the central doorway. From inside, the house also enjoys a waterfront orientation, as a lower storey is built into the steeply pitched slope at the rear.

The building was associated with the waterfront at the time when George Asken, of Asken Boat Works, and his family lived in the house, from 1913-1937.

Important to the conservation of 455 Bay Street North is the preservation of the original features of the front facade.

Appendix "T" as referred to in  
Item 35 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

## REASONS FOR DESIGNATION

### 469 Bay Street North, Hamilton

Documents indicate that in 1869 William W. Grant, a sailmaker already in business on Zealand's wharf, built a new Sail Loft at 469 Bay Street North. Located on a steeply sloped waterfront site, Grant's Sail Loft presents a one-storey gabled brick front to the street but from the bay, the structure has a tall three-storey facade, the first two stories built of coursed rubble.

Originally incorporated into a shoreline landscape of wharves, boathouses, shipyards and warehouses, the Sail Loft is significant today as the only survivor from the North End's flourishing 19th-century commercial waterfront. As such, 469 Bay Street North provides a tangible link with this notable period in Hamilton's history.

Architecturally, the Sail Loft, is significant as a relatively specialized building type, which determined its size, location, and construction, free of interior supports.

In use as a Sail Loft from 1869-1887, 469 Bay Street North subsequently housed a variety of occupants including a straw-goods company, a machine works and from 1921-1944, it served as headquarters for Hamilton's naval reserve and sea cadets.

Important to the conservation of 469 Bay Street North is the preservation of the original features of the four exterior facades.

Appendix "U" as referred to in  
Item 36 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

## REASONS FOR DESIGNATION

### 126 James Street South, Hamilton

Founded in 1897 by Dr. C.L.M. Harris, the Hamilton Conservatory of Music completed construction of its imposing new premises at 126 James Street South in 1906. Situated on an elevated site just south of the railway underpass, the three-storey brick and stone structure serves as a significant component in one of the city's most important streetscapes. Architecturally, the Conservatory is a specialized building type, the only one of its kind to be erected in Hamilton. The architect was A.W. Peene, who later designed the Carnegie Library building on Main Street West.

During its eighty-three year history as the centre of musical education for Hamilton and the surrounding area, the Conservatory was a well-known and highly respected professional institution. With the closing of the school in 1980, this landmark, although converted to another use, continues to provide a tangible record of the Conservatory's important role in the musical development of Hamilton.

Important to the conservation of 126 James Street South is the preservation of the original features of the front facade, namely, the brick and stone construction, the front entranceway, the fenestration, and decorative trim.

Appendix "V" as referred to in  
Item 37 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.



## REASONS FOR DESIGNATION

### 158 James Street South, Hamilton

The rowhouse at 158 James Street South is part of the historic stone terrace situated between Bold and Duke Streets. Constructed in the 1850's, the block is one of the most notable examples to survive from Hamilton's pre-Confederation era. Its stone construction, simplicity of design and high quality masonry work are hallmarks of this important mid-century building period. Although built by three different owners, the terrace is unified into one overall design, each structure a vital component in the total scheme. As a whole, the block constitutes a rare and well-preserved example of an early Victorian neighbourhood. It is also a major anchor block in the historic streetscape of James South.

158 James St. South was built for Alexander Gordon, a shoe manufacturer, between 1853 and 1858. In 1861, MP Samuel Mills, a noted Hamilton politician, entrepreneur and philanthropist, acquired the property. It remained in the Mills family ownership for over seventy years.

Important to the conservation of 158 James St. South is the preservation of the original features of the front facade.

Appendix "W" as referred to in  
Item 38 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.



## REASONS FOR DESIGNATION

### 188 Markland Street, Hamilton

The one-storey brick cottage at 188 Markland Street was built in 1892 by the Government of Ontario as a residence for the engineer in charge of the Queen Street Pumping Station located next door. This Pumphouse had been built in 1879 in order to provide a water supply for the recently opened Hamilton Asylum for the Insane, now the Hamilton Psychiatric Hospital. In response to neighbours' requests, the Department of Public Works under the supervision of provincial architect Kivas Tully made improvements to the pumphouse grounds by fencing the premises and building the engineer's residence. At the same time a new fire hall at the hospital was erected and the contract for all the work was awarded to J. & E. Dickenson of Hamilton. 188 Markland Street is historically significant as the only one of these three buildings to have survived. Architecturally, the house is a noteworthy example of the Second Empire style, characterized by the slate mansard roof, the dormers, bay window and arched doorway.

Important to the conservation of 188 Markland Street is the preservation of the original features on the front and east facades.

Appendix "X" as referred to in  
Item 39 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.

## REASONS FOR DESIGNATION

### 28 South Street, Hamilton

28 South Street is the pioneer homestead for a seventy acre farm that originally extended from Aberdeen Avenue south to the escarpment and from Dundurn Street east to Locke Street, comprising part of Lot 18 in the 4th Concession of Barton Township.

The property was subdivided in 1881, annexed by Hamilton in 1891 and now consists of ten residential blocks. The farmhouse has been incorporated into the present street pattern, but its orientation has been reversed. Built c. 1840's, 28 South Street is important as a tangible record of Hamilton's origins as a farming community.

Notable is the building's stone construction, a material locally available primarily during the 1840's and '50's. Originally, the one-storey north facade was the front of the house, with the entranceway off Aberdeen Avenue.

Little is known of the first settlers other than John Ashbaugh, a yeoman of British origins, farmed the land in 1841 and Thomas Bush owned the property from 1848 to 1881.

Important to the conservation of 28 South Street is the preservation of the original features of the front, east and west facades.

Appendix "y" as referred to in  
Item 40 of the TWENTY-FOURTH  
Report of the Planning and  
Development Committee.







## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **TWELFTH** Report for 1985 and respectfully recommends:

1. (a) That permission be granted to the Lung Association to hang a banner from the balcony of City Hall from 1985 November 1-15 inclusive for advertising the start of the Christmas Seal Campaign.
- (b) That permission be granted to fly the Cross of Lorraine flag on City Hall for the month of 1985 November.
2. That permission be granted to hang a banner from the balcony of City Hall from 1985 October 1-11 to endorse the Tools for Peace Campaign.
3. That permission be granted to the Hamilton Status of Women Committee to hang an 18" X 12" commemorative plaque honouring the past and future recipients of the Women of the Year Award on the plaque display panel on the north wall, second floor, outside the office of the Chief Administrative Officer.

**NOTE:** The above recommendation is in accordance with the policy for commemorative plaques approved by City Council at its meeting held 1985 April 9.

4. That permission be granted to the Rape Crisis Centre (Hamilton) and the Women's Centre of Hamilton-Wentworth to use the City Hall forecourt, electrical outlets and washroom facilities on Friday, 1985 September 13th from approximately 8:00 o'clock p.m. to 10:00 o'clock p.m.
5. That permission be granted to Festitalia to display approximately 35-40 photographs of historic sites of Italy from September 5-15, 1985, in the second floor foyer area of City Hall.
6. That authorization be given for the Department of Culture and Recreation's weekly television show "What's Happening" filmed by Cable 4 to originate live from the west foyer area outside of the Council Chambers on Tuesday evening from 6:00 to 6:30 o'clock p.m.
7. That Council endorse the resolution received from the City of Windsor adopted by the Windsor Utilities Commission at its meeting held 1985, March 27 as follows:

**WHEREAS** most of Ontario Hydro's Bruce Nuclear Power Development is in service and all of the electrical generation will be available in 1987, and

**WHEREAS** there is insufficient electrical transmission capacity to deliver all of the power available from Bruce on a reliable basis, and

**WHEREAS** Ontario Hydro has attempted to obtain approval for the location and routing of the necessary transmission facilities for many years in the public participation process, including hearings by the Solandt Commission, the Royal Commission on Electric Power Planning, and the Joint Hearings Board under the Consolidated Hearings Act, and

**WHEREAS** an Ontario Supreme Court decision in 1984 has nullified approvals that were obtained, thus delaying the possibility for constructing the transmission lines for some years, and

**WHEREAS** the limiting of delivery of inexpensive electrical energy from Bruce may:

- (a) cost the citizens of Ontario additional hundreds of millions of dollars per year to provide substitute generation fired by imported coal,
- (b) substantially increase the production of air pollutants and acid rain caused by the burning of that coal, and
- (c) introduce the likelihood of one or more sizable power interruptions each year for many of Ontario's industries, commercial enterprises and entire residential communities, and

**BE IT RESOLVED THAT** the Government of Ontario be requested to expedite the procedures necessary to assure that there will be no further delay in providing for electrical transmission line routes out of the Bruce Nuclear Power Development and that this Resolution be circulated among other Ontario municipalities for information and endorsement and forwarded to the Association of Municipalities.

8. That Council endorse the resolution received from the City of North York respecting the matter of Increase in Assessments on Residential Properties in the City as a result of improvements made by the owners as follows:

**WHEREAS** North York homeowners are reluctant to fix up their homes because household improvements will increase the assessment on their property, thereby raising their property taxes; and

**WHEREAS** the City of North York wants to encourage property owners to upgrade, renovate and improve their homes without being penalized by the provincial assessor with higher taxes; and

**WHEREAS** the Province proposes to review assessments and make necessary increases in assessment where the cumulative value of the additions and/or alterations will add \$5,000 to the market value of the property; and

**WHEREAS** this provincial policy may discourage homeowners from making improvements to their dwellings; and

**WHEREAS** the North York Treasury Department as well as all other municipalities regularly submit a list of building permits issued by the Building Department to the provincial assessment office under an informal arrangement; and

**WHEREAS** it is not mandatory that these copies be voluntarily supplied to the assessor;



**THEREFORE BE IT RESOLVED** that the Treasurer in conjunction with the Building Commissioner be instructed to design a system for implementation whereby copies of building permits involving rehabilitation, remodelling or modernization of an existing home be retained in the Building Department unless the above-listed improvements increase the square footage of the dwelling; and

**BE IT FURTHER RESOLVED** that building permits for new buildings continue to be submitted in the current manner to the provincial assessment office and that the Province be so advised; and

**BE IT FURTHER RESOLVED** that the City request the Province of Ontario to amend the Assessment Act to allow homeowners to rehabilitate, remodel or modernize their existing dwellings without the Province reassessing those homes at a higher value, unless the renovations will increase the square footage of the dwelling space; and

**BE IT FURTHER RESOLVED** that this motion be sent to all area municipalities in the Province of Ontario for endorsement with a request that they inform the Clerk of the City of North York as to the action they take and that it also be referred to the Association of Municipalities of Ontario (AMO) for action.

**AMENDMENT:**

"that circulation of the Motion herein be provided to all municipalities having a population of 50,000 or greater."

9. That Council endorse the resolution received from the City of Windsor respecting the Unconditional Grants Formula as follows:

**WHEREAS** the provincial government in 1983 amended its grant formula for the calculation of unconditional grants from a formula based on population and equalized assessment to a per household basis;

**AND WHEREAS** the Association of Municipalities of Ontario has expressed its concern that individual municipalities should be protected against significant grant losses - and the Province has addressed this concern by guaranteeing at least a 2-1/2% increase in 1984 and a 2% increase in 1985, through the introduction of a Revenue Guarantee Grant;

**AND WHEREAS** in 1985, 503 municipalities will draw on the Revenue Guarantee Grant in order to receive their 2% increase over 1984 total unconditional grants - indicating that the formula is not being following for these 503 municipalities;

**AND WHEREAS** the Resource Equalization Grant component of the unconditional grants has had a ceiling on increases of \$2.50 per household in 1984 and \$1.25 per household in 1985, and this ceiling has resulted for many municipalities in a shortfall from the full entitlement under the formula - indicating that the formula is not being followed for many municipalities who are receiving less than the formula allows;

**AND WHEREAS** it is evident that for the vast majority of municipalities, the amount of unconditional grants depends not on the formula, but on the amount of grants received the previous year - and the formula is thus virtually irrelevant under the system as it is presently operated;

**THEREFORE BE IT RESOLVED** that the Association of Municipalities of Ontario be requested to meet with the Minister of Municipal Affairs and Housing to review the unconditional grants formula and its application with a view to making the formula more relevant to municipalities, keeping in mind:

1. The need to protect individual municipalities from significant grant losses and the phasing over a period of years of reductions in the level of protection, and
2. The need for municipalities to achieve their full entitlement under the formula within a few years;

**AND FURTHER** that Cities in Ontario which are affected in a similar manner to Windsor be requested to endorse this resolution.

10. That the City of Hamilton endorse the proposed revised Hamilton Civic Hospitals Act, 1978.
11. (a) That permission be granted to serve tea and coffee to approximately 90 people who will be attending the Hamilton Central Lions Club Senior Citizen's Tour on Thursday, 1985 October 10 at 10:30 o'clock a.m. at a cost of approximately \$40.00.
- (b) That permission be granted to use the foyer area outside of the Council Chambers from approximately 10:30 a.m. - 11:30 a.m. for this reception.
- (c) That the Finance Committee recommend the method of financing.
12. That Council oppose the issuance of an extended liquor licence to Schooner's Restaurant, 543 Upper James Street, Hamilton and that they authorize representation of their position at the hearing to be held by the Liquor Licence Board of Ontario on this application.
13. That the following guidelines for the burying of time capsules on City Hall property be adopted:
  - (a) That the burying of time capsules be restricted to events or occasions of significance at either the Municipal, Provincial, National or International level.
  - (b) That the burying of these capsules be restricted to the grassed area to the west of City Hall, with the exact site being determined by appropriate civic officials in consultation with the organization, etc., wishing to bury same.
  - (c) That the burying be under the supervision of the appropriate civic departments.
  - (d) That the site be suitably identified by a means satisfactory to the appropriate civic officials. This to include the size, material and wording of the marker.
  - (e) That the total cost involved be borne by the group or organization.

**NOTE:** This not to preclude the city participating in the cost if approached by the group or organization, and the Council agreeing.



- (f) That the City retain the right to remove or relocate the capsule at any time.
  - (g) That the applications be processed through the Legislation Committee and City Council.
14. That Ms. Pat Roberts be appointed to serve the balance of the term on the Hamilton Status of Women Committee vacated by Ms. Irene Stayshyn who has resigned to serve on the City's Pollution Control Committee.

**NOTE:** The term that remains is September - November, 1985.

15. (a) That specific areas be exempted from the Hours of Operation of Gasoline Stations By-law No. 9396.
- (b) That an amount not to exceed \$1,000.00 be authorized in order to carry out a legal survey by the Regional Surveyor.
- (c) That the Finance Committee recommend the method of financing.
16. That the City Treasurer be directed to investigate the feasibility of recovering funds granted to owners of properties through the Tax Appeal Committee once the property is sold or converted to the Estate on the death of the owner.
17. That Council recommend to the Convention Centre Board of Directors that they redirect their emphasis to attract National and International Conventions and business and that they discontinue efforts to attract local business.
18. That the City Solicitor be authorized and directed to prepare a By-law for the purpose of amending By-law 84-191 - to control the exercising of registered pigeons to the hours of 7:00 o'clock a.m. to 8:30 o'clock a.m., and to one hour after sunset.
19. (a) That the annual City Hall Open House be held on Tuesday, 1985 September 24 at a cost not to exceed \$1,000.00; and
- (b) That the Finance Committee recommend the method of financing.
20. That leave be granted to introduce the following bills:

**Bill D-11**      A Municipal Question to the Vote of the Electors.

**Bill D-12**      Renewal of Agreements and Advertisement of Goods and Services.

**Respectfully submitted,**

**Alderman V. J. Agro, Chairman  
Legislation**

S. K. Reeder  
Secretary  
1985 August 20









## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FOURTEENTH** Report for 1985 and respectfully recommends:

1. That no action be taken respecting a request to remove a City owned tree, including the roots, at 7 Woodland Avenue, at the City's expense.

**NOTE:** The above recommendation is as a result of a four-four tie vote at the Finance Committee held 1985 August 22.

2. (a) That a grant in the amount of \$6 500 be approved for the November 15, 1985 Gallery of Distinction Awards Presentation; and  
(b) That this amount be financed in the following manner:
  - \$2 560 from Account No. 0374-0601 - "General" Grant Category
  - \$3 940 to be transferred from Account No. 0374-1000 - "Convention and Reception" Grant Category to the "General" Grant Category
3. That the General Manager of the Hamilton Parking Authority be advised that he is to continue to manage the Arena/Trade Centre parking lot, located in the area bounded by Queen, Hess, Napier and Peter Streets, on behalf of the City and in the best interests of the City.
4. Approval of the awarding of the following contract:

### HAMILTON FIRE CONTROL CO., Hamilton, Ontario

Supply all labour, material and equipment necessary for the installation of Fire Alarm Systems and Emergency Lighting, in accordance with specifications issued by the Director of Purchasing and Vendor's Quotation as follows:

Inch Park	\$ 6 573.00
Coronation Park	6 171.00
Parkdale Park	6 527.00
	<u>19 271.00</u>
Less 3% Discount	<u>578.13</u>
TOTAL	\$18 692.87

**NOTE:** Lowest of 5 quotations. Funds provided in Account No. 0408-A7531.

The above has been processed through the emergency procedures of the City of Hamilton purchasing policy.

5. (a) That the claim of Albert Poole and the City against Philip S. Haigh be settled in the amount of \$13 649.85 inclusive of interest and costs, said amount to be paid to the City; and

- (b) That in accordance with Section 8(4) of The Workers' Compensation Act., R.S.O. 1980, Chapter 539 and the attached Application by Mr. Poole, the surplus of \$3 778.59, that will remain after deduction of the City's expenses, be paid to Mr. Poole.

**NOTE:** On September 29, 1981 Albert Poole was on the back of a City paint striper painting lane lines when the striper was hit by a motor vehicle owned and operated by Philip S. Haigh. Mr. Poole suffered injury to his right elbow and an action was commenced on behalf of the City and Mr. Poole against Mr. Haigh to recover damages.

As a result of a pre-trial before Judge Borkovich on March 14, 1985 and resulting settlement negotiations with the solicitor for Mr. Haigh's insurance company, it is recommended that the claims of the City and Mr. Poole be settled in the amount of \$13 649.85 inclusive of interest and costs, which amount is to be paid to the City.

After deduction of the City's expenses and costs, there will be a surplus of \$3 778.59 and it is recommended that in accordance with the authority granted under Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539, payment of the surplus be made to Mr. Poole.

The Workers' Compensation Act provides that in the event that Mr. Poole suffers a recurrence relating to this accident, the above-mentioned sum of \$3 778.59 remains as a credit to the City and will be deducted from the amount of any further compensation or other benefits to which Mr. Poole may become entitled to from The Workers' Compensation Board with respect to this accident.

6. That the costs of Jane Yeomans and Eleanor Dingwall be paid in the amount of \$11 910 plus interest from March 26, 1985 to date of payment at the rate of 12 per cent per annum.

**NOTE:** In adopting Item 1(c) of the Fifth Report of the Finance Committee for 1985 at its meeting of March 12, 1985, City Council approved the settlement of the action of Jane Yeomans and Eleanor Dingwall in the amount of \$30 000 for all claims, plus interest and taxed costs (plus the fee of Cardinal Investigations Limited in the amount of \$1 000 and a fee of up to \$100 for consultation with Dr. Harrison). Subsequently their solicitor, William Morris, Q.C., submitted an account for their costs in the amount of \$15 435 together with an appointment for taxation of the costs on August 1, 1985.

After some negotiation, Mr. Morris has agreed to reduce the costs by \$3 525 to \$11 910 which amount is recommended. Interest must be paid on the costs at the rate of 12 per cent per annum from March 26, 1985 being the date of the Judgement in this matter to the date of payment of the costs. Sufficient funds are available in Account No. 0378-1898 - Damage Claims to provide for this expenditure.

7. (a) That approval be given for the sale of the City owned property at 37 Strathcona Avenue North executed on July 29th, 1985 by the Purchaser, the Hellenic Community of Hamilton and District and scheduled for closing on October 9th, 1985, for the sum of \$75 000; and

- (b) That the City Clerk and City Solicitor be authorized and directed to complete this transaction; and
- (c) That the City Treasurer place the funds derived from the sale of this property in a reserve account from which the City can draw to assist Hamilton Theatre Inc. in its relocation to alternate facilities.

**NOTE:** A deposit cheque in the amount of \$5 000 is being held by the City Treasurer pending approval by Council.

- 8. That approval be given for the sale of a triangular parcel of land, at the south east corner of Dunn and Leaside Avenue containing 1 200 square feet (more or less) for the total amount of \$2 500, to Jones Neon Displays Limited.

**NOTE:** The offer was executed on August 16, 1985 and is scheduled to close on October 4, 1985. A certified deposit cheque in the amount of \$250 is being held by the City Treasurer pending approval of this transaction. The proceeds of the sale are to be credited to account 0280-02.

- 9. That Item 14(a) of the Tenth Report of the Finance Committee, adopted by City Council at its meeting May 28, 1985, respecting a one-time general grant to the Hamilton and District Slo Pitch Association - Men's Division, be rescinded due to the cancellation of the event.

**NOTE:** The Secretary of the Grants Sub-Committee has been notified by the Hamilton and District Slo Pitch Association - Men's Division that their planned tournament August 8-11, 1985 has been cancelled due to a poor response.

- 10. (a) That the following requests for donations to various disaster relief funds be forwarded to the Regional Municipality of Hamilton-Wentworth for its consideration:
  - i. Correspondence requesting the support of municipalities exceeding 50 000 in population to support the donation by the City of Gloucester to the Canadian Red Cross for the victims of the May 31, 1985 tornado in Southern Ontario;
  - ii. Correspondence requesting a donation to the Essex County Flood Disaster Relief Committee for the victims of the flooding by Lake St. Clair, Detroit River and Lake Erie Watershed in April 1985.
- (b) That a policy be established authorizing City staff to refer similar requests for assistance, in kind or financially, to disaster relief funds to the Regional Municipality of Hamilton-Wentworth for its consideration.
- 11. That the additional funding of \$1 300 required (over the original estimate of \$4 000) to reconstruct the four brick pillars on the road allowance at the intersection of Main Street and Barnesdale Boulevard be financed by means of an overdraft in the Sidewalk and Paths Account No. 0352-0461.

**NOTE:** Section 29 of the Fifteenth Report of the Transport and Environment Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.



12. That the estimated amount of \$1 000 required to carry out a legal survey by the Regional Surveyor for the purpose of amending the gasoline station by-law, be charged to the Local Roads Account 0352-0919 "Legal Surveys".

**NOTE:** Section 15 of the Twelfth Report of the Legislation Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

13. That the cost of approximately \$40 to host a reception for the Central Lions Club Senior Citizen's Tour on Thursday, October 10, 1985, be charged to Account No. 0373-1002 "Receptions - City Hall".

**NOTE:** Section 11 of the Twelfth Report of the Legislation Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

14. That \$1 000 be provided from Unclassified Account No. 0378-27XX, to hold the City Hall Open House on Tuesday, September 24, 1985.

**NOTE:** Section 19 of the Twelfth Report of the Legislation Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

15. That the estimated cost of \$70 000 to install storm and sanitary sewers, and watermains, within part of the Hamilton Industrial Park, be financed from the Reserve for Property Purchases, Account No. 0280-02.

**NOTE:** Section 18 of the Twenty-Fourth Report of the Planning and Development Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

16. That Council approve the supply and delivery of the following ice resurfacing equipment at a total cost of \$40 562.10, including applicable taxes, in accordance with the recommendation of the General Manager of Copps Coliseum, in conjunction with the City of Hamilton Director of Purchasing:

Zamboni 520 Ice Resurfacers at a cost of	\$34 721.50
Front V. Plow and Squeegee at a cost of	3 791.60
Advertising Sign Racks at a cost of	340.00
Board Brush	1 500.00
Additional Set of Knives	<u>210.00</u>
<b>TOTAL</b>	<b>\$40 562.10</b>

**NOTE:** Funds in the amount of \$75 000 have been allocated for ice resurfacing equipment.

17. (a) That Council approve the supply and delivery of the Bell Canada Mitel SX 20 Telephone System for the Trade Centre/Arena and the Corporate Department of HECFI, for a cost of \$36 867.57, including applicable taxes and one-time installation, in accordance with the recommendation of the General Manager of Copps Coliseum, in conjunction with the City of Hamilton Director of Purchasing; and



- (b) That a contingency of \$1 500 be allocated for unforeseen costs.

**NOTE:** Funds in the amount of \$80 000 have been allocated for the installation of a telephone system. The Mitel SX 20 system, as outlined in the bid proposal, best fit the immediate requirements; as well, Bell Canada committed the credit of the cost of the recommended system to an upgraded system at a future time.

18. That leave be granted to introduce the following bills:

- (a) Bill F-27 By-law to Authorize an Additional Expenditure in Respect of the Piping System between the Central Utilities Plant and Hamilton Place
- (b) Bill F-28 By-law to Authorize the Replacement of an Ice-Making System at the Inch Park Arena
- (c) Bill F-29 By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. GRAY, CHAIRMAN  
FINANCE COMMITTEE**

R. C. Prowse, Acting Secretary

1985 August 22









## **REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Mayor presents his **FIFTH** Report for 1985 and respectfully recommends:

1. (a) That the following persons be authorized to attend the "Equality Now Update '85 Symposium" to be held at the Faculty of Education, University of Toronto on Saturday, 1985 September 28 at a cost per registration of \$22.00:

Mr. Phemon Ma

Mr. Brian Lewis

- (b) That the Finance Committee recommend the method of financing.
2. That the Mayor's Race Relations Committee solicit the Federal Government to encourage them to actively promote and advertise the recent effectiveness of Section 15 of the Canadian Charter of Rights and Freedoms and to encourage other Race Relation Committees to do the same.
3. For the information of members of City Council, a Subcommittee of the Mayor's Race Relations Committee has been formed to look into the feasibility of hosting a 1986 Equality Conference.

**Respectfully submitted,**

**Mayor Robert M. Morrow**

S. K. Reeder  
Secretary  
1985 August 27



NOTICES OF MOTION





4. (a)

NOTICE OF MOTION - ALDERMAN WM. POWELL

"RESOLVED: that all necessary steps be taken to reinstate  
the Board of Control in the City of Hamilton.  
The Board to be reinstated for the forthcoming  
Municipal Election."



4. (b)

NOTICE OF MOTION - ALDERMAN T. MURRAY

"WHEREAS, the City of Hamilton is presently mundialized with the Cities of Fukiyama, Japan; Mangalore, India; and Shawinigan, Quebec;

AND WHEREAS, there are thousands of Hamiltonians of Italian descent;

THEREFORE BE IT RESOLVED, that the Mundialization Committee consider the possibility of twinning with a City in Italy."

- (h) "non-collectible waste" means and includes,
- (i) manufacturer's or other industrial waste;
  - (ii) celluloid cuttings, moving picture film, oil-soaked or gasoline, of any kind or nature whatsoever;
  - (iii) broken plaster or other waste or residue resulting from any building construction, alteration, repair, demolition or removal;
  - (iv) sawdust, shavings or excelsior;
  - (v) swill and other organic matter not properly drained and wrapped;
  - (vi) liquid waste;
  - (vii) bandages, poultices, dressings and other such like waste;
  - (viii) hay, straw and manure;
  - (ix) night soil or other excreta;
  - (x) any material which has become frozen to the container and cannot readily be removed by shaking;
  - (xi) the carcass of any dog, cat, fowl or other creature or part thereof save bona fide kitchen waste; and
  - (xii) any other waste that is not collectible waste;
- (i) "occupant" means an occupant or premises at the time or during the period collectible waste is put out for collection;
- (j) "owner" means a person who is the owner of the premises according to the last revised assessment roll or who is the registered owner;
- (k) "person in charge of a premises" means a person normally or ordinarily having charge or care or control of the premises, as the case may be, at the time or period collectible waste is collected by a collector;
- (l) "refuse" includes glass, crockery, metal cans, metal containers, scrap metal, except waste metal from an industrial process and other objects but does not include non-collectible waste;



(m) "regulation container" means,

(i) a metal container,

- A. tapered to be larger at the top and fitted with suitable handles and a tight fitting cover; and
- B. having a capacity of not less than 10 gallons and not more than 20 gallons that is readily capable of holding 50 pounds weight of ashes or garbage without danger of breaking; and
- C. that is otherwise suitable for the purpose of containing ashes, garbage and refuse, but not including a cardboard carton, oil drum, paint can, lard can or other such container;

(ii) a disposable plastic bag,

- A. having a thickness of at least  $1\frac{1}{2}$  thousandths of an inch; and
- B. having a capacity of not more than  $2\frac{3}{4}$  cubic feet capable of holding 50 pounds of garbage or refuse without danger of breaking or bursting;

(iii) a disposable paper bag,

- A. having a thickness of at least two-ply; and
- B. having a capacity of not more than  $2\frac{3}{4}$  cubic feet capable when wet of holding 50 pounds of garbage or refuse without danger of breaking or bursting;

(iv) other disposal container for garbage or refuse except a cardboard box satisfactory to the Director of Public Works, having a strength of construction and a capacity of not less than a disposable plastic bag or a disposable paper bag, but in the case of compacted garbage from apartments, the container having a capacity of not less than 3 cubic yards.

(2) Every container or regulation container shall be suitable for the purpose of its intended use having regard to the ashes, garbage and refuse to be contained therein.

(3) For the purpose of subsection 2, "suitable" when used in reference to a container or regulation container means a container of the type, construction, material or composition and capacity that does not break, burst or otherwise allow collectible waste to seep out, fall out or litter or scatter during collection and does not constitute a hazard to the collector.

#### Preparation of Waste

2. Every occupant or person in charge or a premises or other person putting out collectible waste for collection by a collector and every occupant or person in charge of a premises respecting which collectible waste is put out for collection by a collector shall comply with or ensure compliance with the following regulations:

1. The regulation container shall be removed from public property on the same day the collectible waste is collected.
2. Only collectible waste shall be put out for collection.
3. Only collectible waste that is fully drained shall be put out for collection.
4. Collectible waste shall be put out in bundles or suitable regulation containers, having regard to the type, nature, physical condition and quantity of the waste.
5. Every bundle or loaded regulation container shall not exceed 50 pounds in weight.
6. Ashes shall be cold and placed in a separate suitable regulation container containing no other collectible waste.
7. Each of the following refuse shall be placed in a separate suitable distinguishable container containing no other collectible waste:
  - (i) glass;
  - (ii) metal cans.
8. Garbage comprised of newspapers shall be separately and securely tied up into solid compact bundles containing no other collectible waste.

9. Garbage comprised of wearing apparel, cloth material and similar type of garbage shall be separately and securely tied in self-contained bundles not more than four feet in length and containing no other collectible waste.
10. Garbage comprised of branches of trees, except Christmas trees put out for the first and second collection in January in each year, shall be stripped and shortened.
11. Garbage comprised of branches of trees referred to in paragraph 10, brush and garden trash shall be tied up into compact bundles not more than four feet in length and containing no other collectible waste.
12. Garbage comprised of kitchen waste and household waste except as provided in paragraph 13, shall be free of surplus moisture and be securely wrapped or contained so as not to be in danger of bursting or scattering content and placed in a regulation container containing no other kind of garbage and no ashes or refuse.
13. All garbage comprised of household fat and grease shall be contained in a disposable metal can separate from and containing no other collectible waste.
14. The number of regulation containers and the weight of ashes, garbage and refuse shall not exceed,
  - (a) in the case of a dwelling or multiple dwelling, nine containers containing not more than four hundred and fifty pounds for each family;
  - (b) in the case of a store or a shop, twelve containers containing not more than six hundred pounds;
  - (c) in the case of any other premises, a reasonable number of containers and a reasonable weight but not exceeding fifteen containers containing not more than seven hundred and fifty pounds, in any event.
15. For normal daytime collection, all collectible waste shall be put out after seven o'clock in the afternoon of the day previous to the collection day and before seven o'clock in the forenoon of the collection day.

16. Where collection is a night-time collection, all collectible waste shall be put out after 11:00 o'clock in the forenoon on the day previous to the collection day and before 11:00 o'clock in the afternoon on the day previous to the collection day.
17. All collectible waste put out for collection shall be placed clear of the roadway but not more than three feet therefrom except,
  - (a) where such a location is dangerous or inconvenient, the collectible waste may be placed in another suitable location on the premises which is convenient to collectors;
  - (b) where a through driveway exists at any commercial premises or multiple dwelling premises, the collectible waste may be placed at another location on the premises in accordance with a Collectible Waste Agreement.

#### Collection of Collectible Waste

3. (1) Except as otherwise provided in this by-law, collectible waste shall be collected by the City.  
  
(2) Nothing in this by-law shall obligate the City to collect collectible waste deemed by the City to be hazardous to a collector.
4. The City may appoint collectors and may require a collector to enter into one or more agreements upon such terms and conditions as the City may require.
5. Collectible waste will be collected once each week when prepared for and put out for collection in accordance with the requirements of section 2 and on the days and times according to the district, as advised in writing or as advertised from time to time in a newspaper of general circulation in the City.
6. No collectible waste put out for collection may be collected unless the occupant or person in charge of the premises complies with section 2.
7. No collectible waste shall be put out by an occupant, person in charge or owner, for collection within a building or hoist or in such a manner as to cause the use of stairs or other means of ingress or egress by a collector.
8. No collector shall enter any building or hoist or ascend or descend any stairs for the purpose of collecting collectible waste.
9. No collector shall receive any gratuity for services rendered in the collection of collectible waste or non-collectible waste or the disposal of the waste.



10. Where compaction facilities exist on the premises of a multiple dwelling and prior approval of the Transport and Environment Committee of the City is obtained in writing by the occupant, person in charge or owner for collection of collectible waste from the premises, collection of compacted garbage will be collected from the multiple dwelling twice per week and section 2 does not apply except regulations 2, 3, 4, and 6.

11. The City may enter into a Collectible Waste Agreement with an owner or any other person upon such terms and conditions as the City may require.

12. Nothing in this by-law shall obligate the City to enter into a Collectible Waste Agreement.

#### Non-Collectible Waste

13. Every person from whose premises non-collectible waste is produced or available, shall cause the waste to be collected.

14. Nothing in this by-law shall obligate the City to collect non-collectible waste.

#### Miscellaneous Prohibitions

15. No person shall put out for collection, or deposit or leave in or near any street or in any place to which children might have access, or allow to be put out or left in any such place, any refrigerator, ice-box, trunk or other container in which a child could become entrapped, without removing the fastenings of the door or lid, and otherwise rendering it incapable of trapping a child within it.

16. No person who is not a collector shall collect, pick up, remove, disturb or interfere with collectible waste put out for collection by any person.

17. No person shall put out non-collectible waste for collection by a collector.

18. No person shall mix, aggregate or include non-collectible waste with collectible waste for collection by a collector.

19. No person shall put out non-collectible waste for collection by any other person, except for the premises respecting which the non-collectible waste is produced.

20. No person shall put out non-collectible waste for collection by any person on a common and public highway, street and boulevard.

21. No person shall convey or cause to be conveyed on any street, any swill, liquid waste or waste of an offensive nature, except in a vehicle suitably constructed for such purpose, and properly covered.

### Penalties

22. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine of not more than \$2,000.

### Repeal

23. By-law No. 66-182, as amended by By-laws Nos. 68-356, 69-106, 70-104, 70-119, 70-231, 73-39, 81-161 and 81-218, is repealed.

DATED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Streets By-law No. 9329

Respecting:

AGREEMENTS FOR THE PLACING OF  
PRINT MEDIA VENDING OR DISTRIBUTION BOXES

WHEREAS section 11a of By-law No. 9329, as enacted by section 1 of By-law No. 84-40, passed on the 29th day of February, 1984, in accordance with paragraph 3 of section 309 of The Municipal Act, R.S.O. 1980, Chapter 302, provided for permission upon such terms and conditions as may be agreed upon to place one or more print media vending or distribution boxes on a sidewalk or a highway;

AND WHEREAS the said section 11a provides for (amongst other things) the entering into of an agreement and amending agreement satisfactory to the City, with the owner, as defined in the by-law;

AND WHEREAS it is desirable to delete a reference to "amending agreement" so as to provide for all necessary contingencies as to locations and changes of location in the original agreement, instead of an "amending agreement" for each change of location inasmuch as locations change rapidly and amending agreements are not practically feasible for each change of location;

AND WHEREAS it is desirable that permission to chain, fasten or affix a vending or distribution box to a building or structure or fixture shall be allowed only with the written permission of the owner or other person satisfactory to the Commissioner of Transportation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 9329 is amended by adding the following thereto:

(ba) "Commissioner of Transportation" means the Commissioner of Transportation of The Regional Municipality of Hamilton-Wentworth;

2. Section 11a of the said by-law, as enacted by section 1 of By-law No. 84-40, is amended by striking out "Commissioner of Engineering" wherever the words appear and inserting in lieu thereof "Commissioner of Transportation".

3. Clause 11a(1)(a) of By-law No. 9329, as enacted by section 1 of By-law No. 84-40, is amended by striking out "and amending agreement" in the first and second lines.

4. Subsection 11a(4) of the said by-law is repealed and the following substituted therefor:

(4) For the purpose of clause (c) of paragraph 2 of subsection 2, "owner" means an owner or registered owner or other person satisfactory to the Commissioner of Transportation.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

TO WIDEN TEMPLEMEAD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Templemead Drive, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Templemead Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 27th day of August, A.D. 1985.

City Clerk

Mayor

(1985) 11 R.T.E.C. 1, June 25

SCHEDULE "A"

Part of Lot 5, Concession 8  
geographic Township of Barton  
being Part 1, Plan 62R-  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
Registry Division of Wentworth (No. 62)

## By-law No. 85 -

## To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Charles Brookstream	Northbound Eastbound	Hurst Glen Vista".
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2. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following items, namely:-

"Burland (north leg)	South	commencing at a point 192 feet west of Parkdale to a point 204 feet westerly therefrom
Weir	East	Main to 80 feet north".

and by deleting therefrom the following item, namely:-

"Jackson	North	commencing at a point 218 feet east of Catharine to a point 83 feet easterly therefrom".
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PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 15 R.T.E.C. 30, August 27

By-law No. 85 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25A (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"East 25th	Both	Crockett to Queensdale".
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2. Schedule 26 (No Parking Areas) is hereby amended:-

(a) by adding to Section A (No Parking Anytime) the following items, namely:-

"Jackson Weir	North East	Catharine to 45 feet east commencing at a point 80 feet north of Main to a point 37 feet northerly therefrom
Dunsmure	North	commencing at a point 87 feet east of Ottawa to a point 24 feet easterly therefrom
Ferguson West 3rd Summercrest	West West East	Cannon to Barton Wembley to 68 feet southerly Greenhill to 50 feet northerly".

and by deleting therefrom the following items, namely:-

"Weir Jackson Ferguson	East North West	Main to 117 ft. north Catharine to 50 ft. east Cannon to 365 ft. northerly".
------------------------	-----------------	--

(b) by deleting from Section C (No Parking, 7:00 a.m. - 6:00 p.m.) the following item, namely:-

"Burton	Both	Victoria to 300 ft. east".
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3. Schedule 27A (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"Burton Street Emerald Street North to 350' east of Victoria Avenue North	North	South".
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and by adding thereto the following item, namely:-

"Burton Street Emerald to Victoria	North	South".
------------------------------------	-------	---------

PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 15 R.T.E.C. 30, August 27



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

WHOLESALE ESTABLISHMENTS  
("JJ" and "KK" District Regulations)

WHEREAS General Zoning By-law No. 6593 was enacted on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

AND WHEREAS it is intended to add a principal use to the list of uses in section 16A - "JJ" (Restricted Light Industrial) district and in 17A - "KK" (Restricted Heavy Industrial) district.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 16A(1) of By-law No. 6593 is amended by adding thereto the following clause:

(eca) a wholesale establishment;

2. Subsection 17A(1) of the said by-law is amended by adding thereto the following clause:

(bb) a wholesale establishment;

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF RYMAL ROAD WEST AT GARTH STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "DE" (Low Density Multiple Dwellings) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 10A  
(1) of By-law No. 6593, the  
following,

(i) ACCESSORY USE shall not be  
prohibited:

1. A business identification  
sign that is a ground sign  
accessory to commercial  
uses, that complies with  
the following requirement:

A. No sign shall be more  
than 5.0 m. in height  
from grade, and more  
than 4.0 m. wide;

(b) notwithstanding subparagraph (a)  
of paragraph 7 of section 2 of  
By-law No. 79-226, the ground  
sign referred to in paragraph 1  
of subclause 1(a)(i) of this by-  
law, shall not be situated less  
than 3.0 m. to the front lot line.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-664c".

4. Sheet No. W-17E of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-664c".

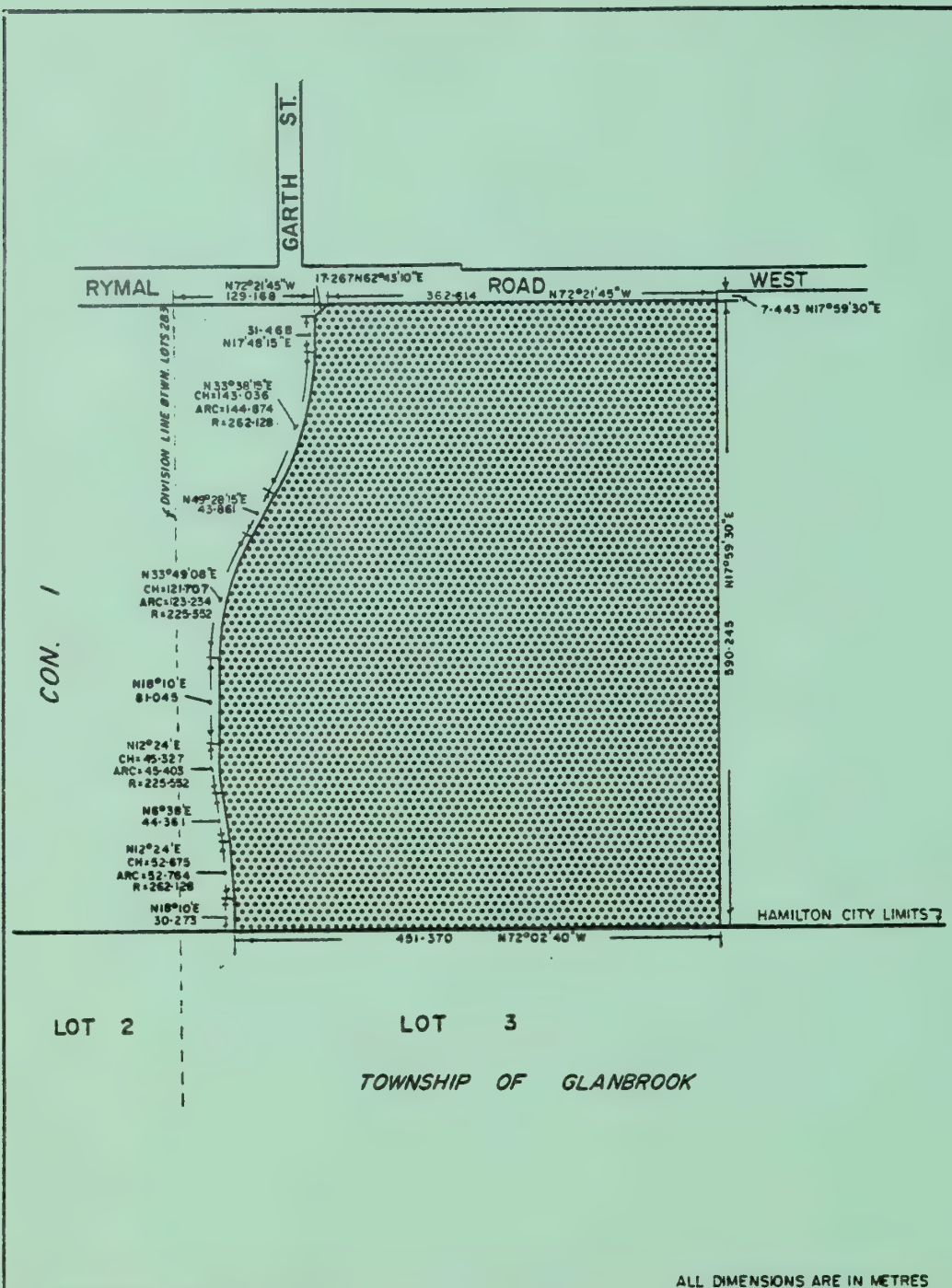
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 18 R.P.D.C. 3, June 25  
St. Elizabeth Home Society of Hamilton, Owner  
ZA-85-33



THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED BY BY-LAW  
NO.85 -

North



Scale

N. T. S.

Reference File No.

ZA 85-33

Date

85-06-24

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Adopt:

Official Plan Amendment No. 31

Respecting:

LANDS LOCATED ON THE EAST AND WEST SIDES OF UPPER WENTWORTH STREET  
BETWEEN MOHAWK ROAD EAST AND LIMERIDGE ROAD EAST

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 31 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 6(A), July 30  
ZA-80-66; ZA-80-82; ZA-83-59; CI-85-G

AMENDMENT NO. 31 TO THE CITY OF  
HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedules "A" and "B" hereto, constitute Amendment No. 31.

PURPOSE

The purpose of this Amendment is to incorporate in the Official Plan two schedule changes and one special policy area, in accordance with the recently revised Bruleville and Thorner Neighbourhood Plans.

LOCATION

The lands affected by this Amendment are located on the east and west sides of Upper Wentworth Street between Mohawk Road East and Limeridge Road East.

BASIS

The Amendment is intended to provide the basis for:

- the rezoning of certain lands on the west side of Upper Wentworth Street to commercial; and
- the introduction of a Special Policy Area for certain lands on both sides of Upper Wentworth Street to limit the range of commercial uses and the number of vehicular access points.

The changes are based on the reports and other documentation contained in the Appendices of this Amendment.

ACTUAL CHANGES

- i) The following new policy be added to Subsection A.2.9.3, other Policy Areas as Policy A.2.9.3.28:

Notwithstanding the permitted uses set out in Subsection A.2.2 (Commercial Uses), for those lands shown on Schedule "B" as SPECIAL POLICY AREA 33, high traffic generating commercial and public uses, such as restaurants and other places of assembly, will be prohibited. Further, it is intended that the number of new vehicular accesses onto Upper Wentworth Street from the affected lands will be limited.

- ii) Schedule "A" of the Official Plan (Land Use Concept), as amended, will be further amended to redesignate the subject lands from Residential to Commercial, as shown on the attached map, being Schedule "A" of this Amendment; and

iii) The following to be added to Schedule "B"  
(Special Policy Areas):

- "Special Policy Area 33"; and
- "Area 33 refer to Policy A.2.9.3.28" in the legend ;

as shown on the attached Schedule "B" to this Amendment.

IMPLEMENTATION

A Zoning by-law will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No.                      passed on the  
day of

THE CORPORATION OF THE CITY OF HAMILTON

---

City Clerk

---

Mayor

# schedule A amendment no. 31

to the  
official plan  
for the  
city of Hamilton

## legend

From "Residential" to  
"Commercial"

date August 1983 drawn by reference file no. 8-2-31

J-22

## land use concept

### legend

\* web regional centre

### schedule A

to the official plan  
for  
the city of Hamilton

page 11 of 11





# schedule B amendment no. 31.

to the  
official plan  
for the  
city of hamilton

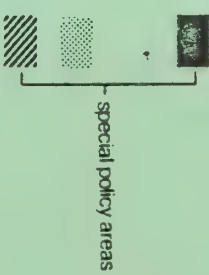
date original, 1985	drawn by A.P.	reference file no 6-2-31
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special policy area 33  
refer to policy A-2.9.3.28



## special policy areas

legend



- Area 1 (a) refer to Subsection A.2.9.1.
- Area 1 (b) " " A.2.9.1.
- Area 2 " " A.2.9.2.
- Area 3 " " A.2.9.3, policy 2.9.3.1
- Area 4 " " Policy 2.9.3.2.
- Area 5 " " 2.9.3.3.
- Area 6 " " 2.9.3.4.
- Area 7 " " 2.9.3.5.
- Area 8 " " 2.9.3.6.
- Area 9 " " 2.9.3.7.
- Area 10 " " 2.9.3.8.
- Area 11 " " 2.9.3.9.
- Area 16 " " 2.9.3.14.
- Area 17 " " 2.9.3.15.
- Area 29 " " 2.9.3.24.
- Area 30 " " 2.9.3.25.
- Area 33 " " 2.9.3.28.

Refer to Schedule B-1 for Special Policy Areas in the Downtown

## schedule B to the official plan for the city of hamilton

may 1985

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NUMBERS  
273 and 279 EAST AVENUE NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 10(1) of By-law No. 6593, the following

(i) ACCESSORY USE shall not be prohibited:

1. A business office accessory to the warehouse existing on the day this by-law is enacted;

(b) the business office shall not occupy more than 10% of the gross floor area of the warehouse.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-172a" and "S-437a".

4. Sheet No. E-12 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-172a" and "S-437a".

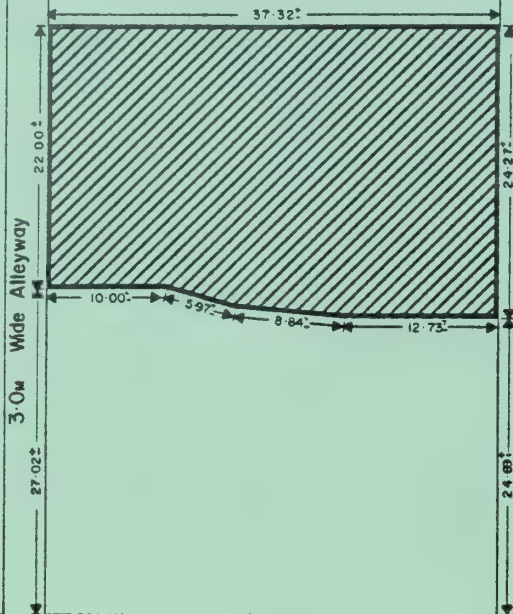
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 5, July 30  
Keith Cody, Owner  
ZA-85-44



EAST AVE. NORTH

BARTON STREET EAST

NOTE: All Dimensions Are in Metres.

THIS IS SCHEDULE 'A' TO BY-LAW No. \_\_\_\_\_  
PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON SCHEDULE "A"

MAP FORMING PART OF  
BY-LAW No. \_\_\_\_\_

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend



LOCATION OF LANDS TO BE  
REGULATED BY BY-LAW No.  
85-

North



Scale  
N. T. S.

Date  
July 1985

Reference File No.  
ZA-85-44

Drawing No.  
85-H-97



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 201 FERGUSON AVENUE SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "J" (Light and Limited Heavy Industry, etc.) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A" are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 16(1) of By-law No. 6593, the following

(i) RESIDENTIAL USE shall not be prohibited:

1. A single-family dwelling that complies with the provisions of section 10 of By-law No. 6593.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "J" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-920".

4. Sheet No. E-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-920".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 2, July 30  
Bernard James Tompkins, Owner  
ZA-85-46



THIS IS SCHEDULE 'A' TO BY-LAW No. 85 -  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

# CITY OF HAMILTON

## SCHEDULE 'A'

MAP FORMING PART OF

BY - LAW No. 85 -

TO AMEND BY - LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



LANDS TO BE REGULATED BY  
BY-LAW No. 85 -

North



Scale  
N. T. S.

Date  
July 1985

Reference File No.  
ZA-85-46

Drawing No.  
85-H-105

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1179 UPPER SHERMAN AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this

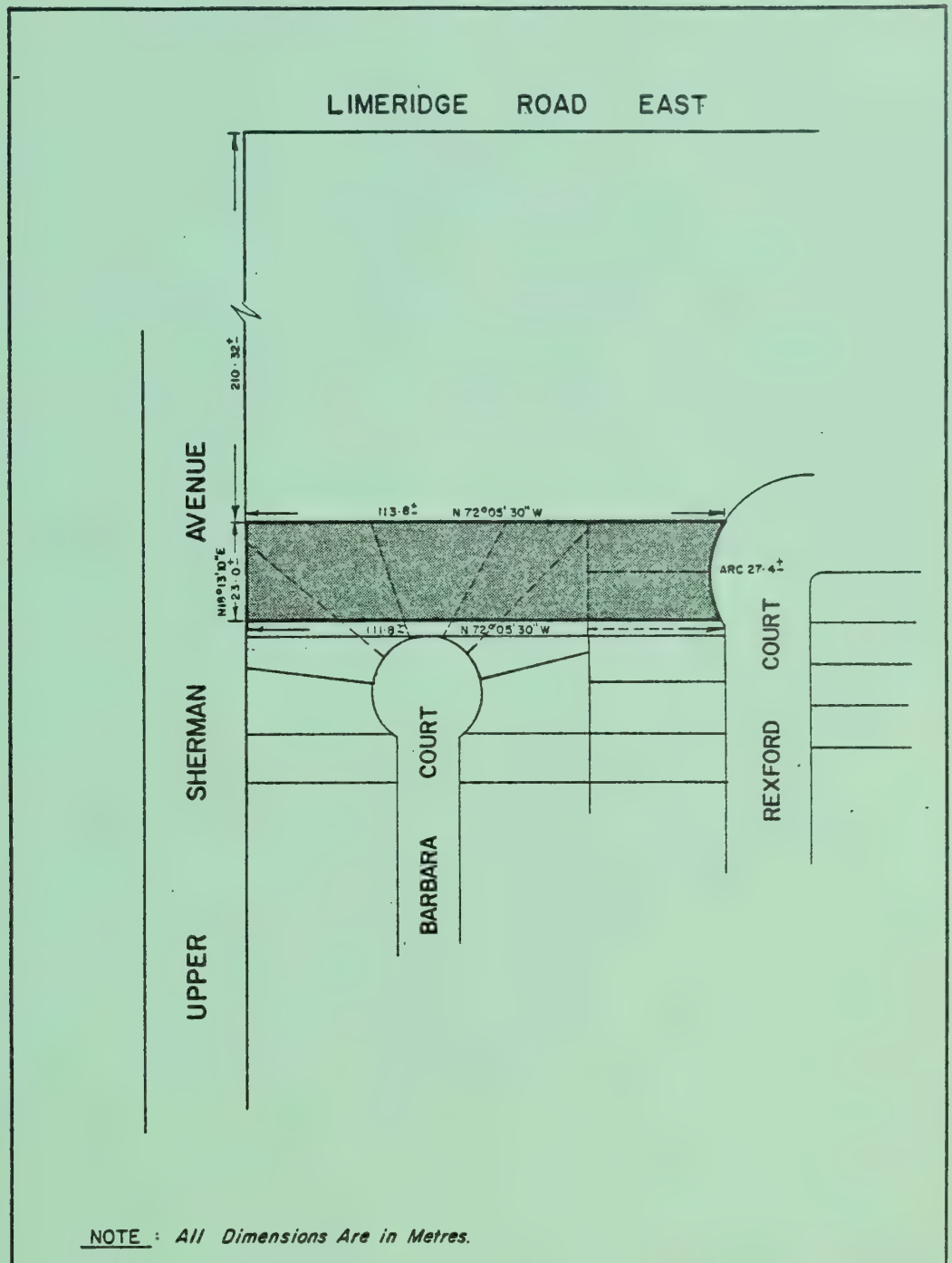
day of

A.D. 1985.

City Clerk

Mayor





NOTE : All Dimensions Are in Metres.

THIS IS SCHEDULE 'A' TO BY-LAW No. \_\_\_\_\_.

PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

## CITY OF HAMILTON

### SCHEDULE "A"

MAP FORMING PART OF

BY-LAW No. \_\_\_\_\_

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

#### Legend



Change in zoning from "AA"  
(Agricultural) District to "C"  
(Urban Protected Residential, etc.)  
District.

North



Scale  
1:1,250

Reference File No.  
ZA-85-45

Date  
July 1985

Drawing No.  
85-H-104

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 32-120 and 167-265 POTTRUFF ROAD NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "B-1" (Suburban Agriculture and Residential, etc.) District provisions applicable to the lands located at Municipal Nos. 32-120 Pottruff Road North, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding clause 8A(3)(i) of By-law No. 6593, there shall be provided and maintained a front yard having a depth of at least the same depth as existed for any building or structure on the day of the passing of this by-law, except that where a building or structure is proposed to be erected on a vacant lot between buildings on adjoining lots, a front yard shall be provided and maintained of a depth that is not less than the greater of the existing front yards for either of the adjoining lots.

2. The "B" (Suburban Agriculture and Residential, etc.) District provisions applicable to the lands located at Municipal Nos. 167-265 Pottruff Road North, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A-1", are amended to the extent only of the special requirement that,

- (a) notwithstanding clause 8(3)(i) of By-law No. 6593, there shall be provided and maintained a front yard having a depth of at

least the same depth as existed for any building or structure on the day of the passing of this by-law, except that where a building or structure is proposed to be erected on a vacant lot between buildings on adjoining lots, a front yard shall be provided and maintained of a depth that is not less than the greater of the existing front yards for either of the adjoining lots.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-1" and "B" District provisions, subject to the special requirements referred to in sections 1 and 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-923".

5. Sheets No. E-94 and E-95 of the District Maps are amended by marking the lands referred to in section 1 and section 2 of this by-law, "S-923".

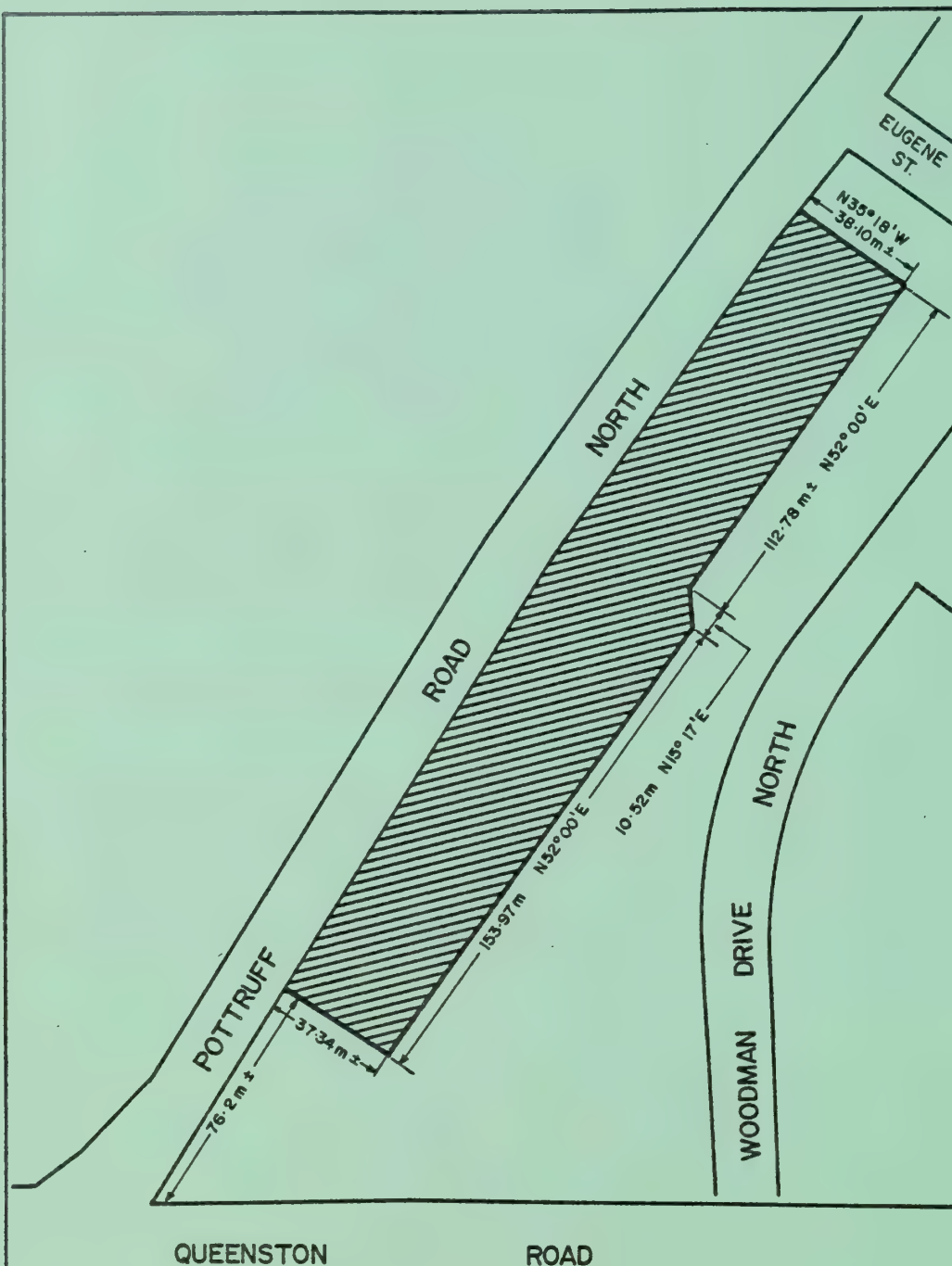
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 10, July 30  
City Initiative 85-I



QUEENSTON

ROAD

THIS IS SCHEDULE 'A' TO BY-LAW No. 85  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

CITY OF HAMILTON

SCHEDULE 'A'

MAP FORMING PART OF

BY - LAW No. 85 -

TO AMEND BY - LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED BY  
BY - LAW No. 85 -

North



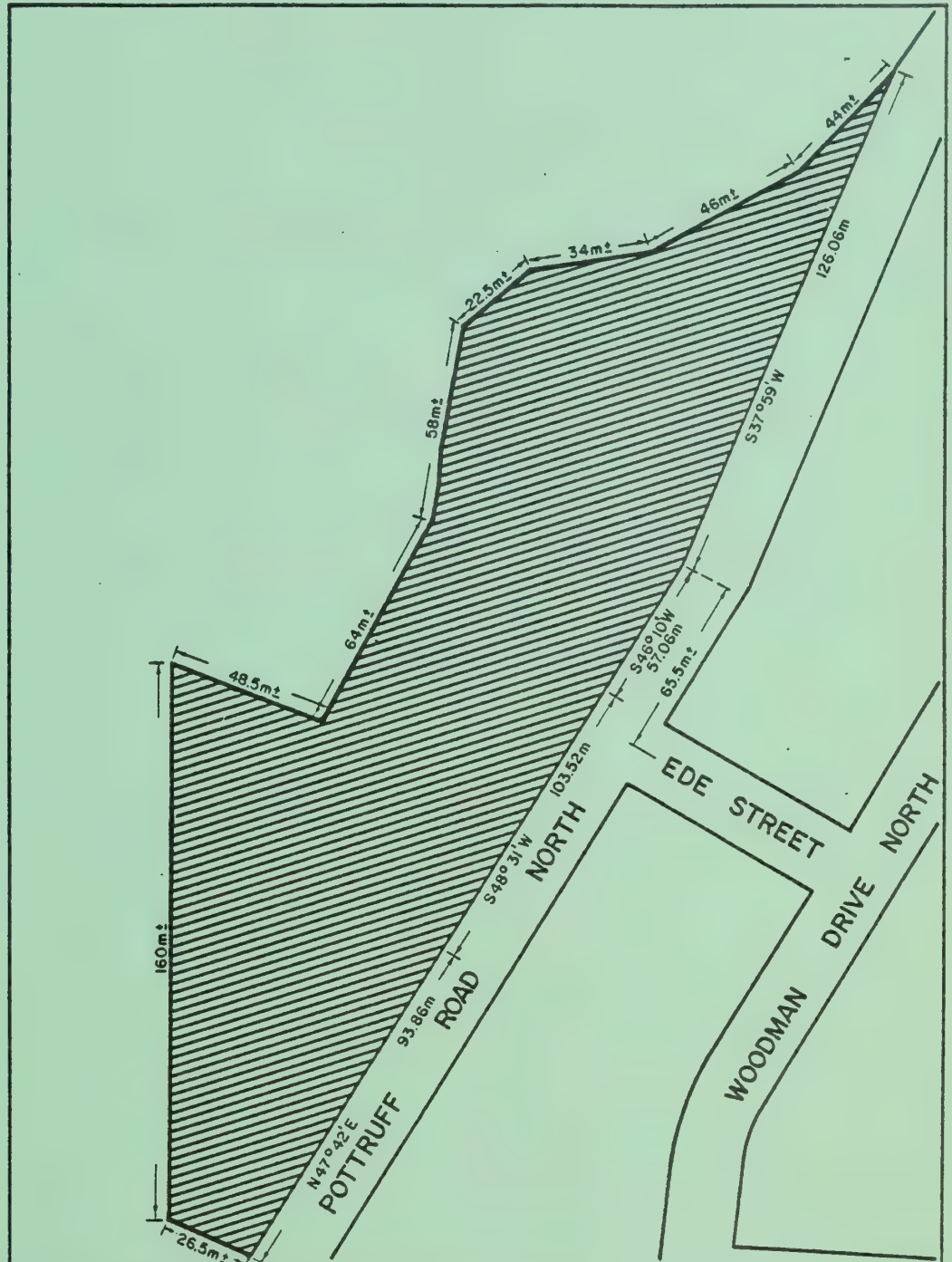
Scale  
N.T.S.

Reference File No.  
C.I. 85 - 1

Date  
July 1985

Drawing No.  
85 - H-109





THIS IS SCHEDULE 'A-1' TO BY-LAW No. 85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

# CITY OF HAMILTON SCHEDULE 'A-1'

MAP FORMING PART OF

BY-LAW No. 85-

TO AMEND BY-LAW No. 6593

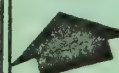
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend



LANDS TO BE REGULATED BY  
BY-LAW No. 85-

North



Scale

N.T.S.

Reference File No.

C.I.85 - 1

Date

July 1985

Drawing No.

85 - H - 110

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE WEST SIDE OF UPPER WENTWORTH STREET,  
BETWEEN MOHAWK ROAD EAST AND LIMERIDGE ROAD EAST,  
IN THE VICINITY OF KINGFISHER DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-18 and E-18A of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district, "C" (Urban Protected Residential, etc.) district and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "HH" (Restricted Community Shopping and Commercial) district, the land comprised in Block 2; and
- (b) by changing from "AA" (Agricultural) district and "B-1" (Suburban Agriculture and Residential, etc.) district to "HH" (Restricted Community Shopping and Commercial) district, the land comprised in Block 3; and
- (c) by changing from "C" (Urban Protected Residential, etc.) district and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "HH" (Restricted Community Shopping and Commercial) district, the land comprised in Block 4

the extent and boundaries of each of which Blocks 2, 3 and 4 are shown on a plan hereto annexed as schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 14A(1) of By-law No. 6593, the following,

(i) PUBLIC USES shall be prohibited:

1. The uses referred to in clause 11(1)(viii) of By-law No. 6593;

(ii) COMMERCIAL USES shall be prohibited:

1. The uses referred to in clause 13(1)(vii) of By-law No. 6593.
2. An auctioneer's premises referred to in clause 14(1)(xiv) of By-law No. 6593.
3. The uses referred to in clauses 14A(1)(ca) and (cb) of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-922".

5. Sheets No. E-18 and E-18A of the District Maps are amended by marking the lands referred to in section 1 of this by-law, "S-922".

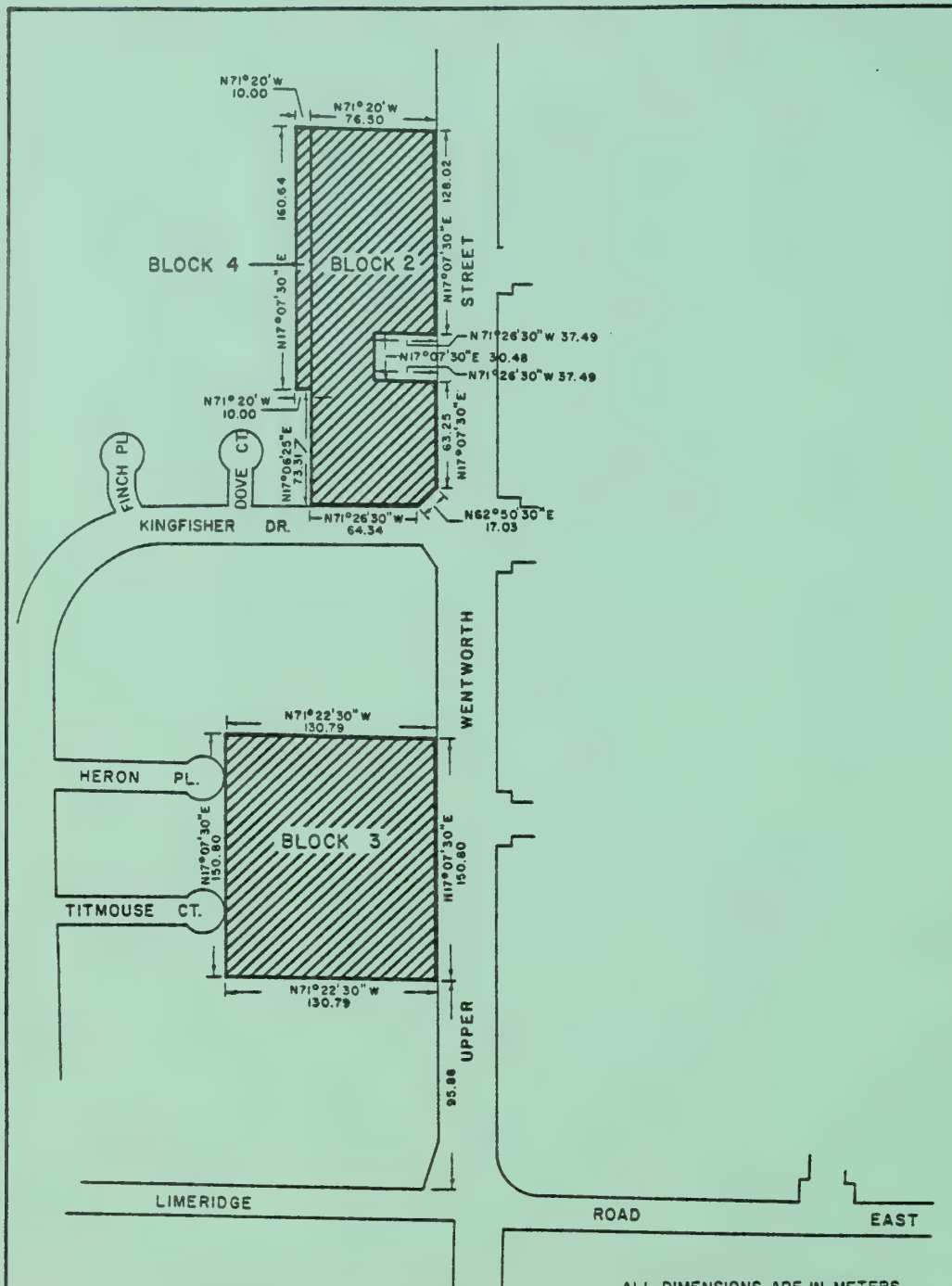
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 6(B)(ii,iii,iv), July 30  
Isobelle Forster, Owner and authorized  
adjoining property owners (ZA-80-66)  
Abbotsford Homes Limited, Owner (ZA-80-82)  
L. Patrick, B. Brown, Owners (ZA-83-59)  
City Initiative 85-G



ALL DIMENSIONS ARE IN METERS

THIS IS SCHEDULE "A" TO BY-LAW No. 85-  
PASSED THE DAY OF

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON SCHEDULE 'A'


MAP FORMING PART OF


BY-LAW No. 85-


TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend

 **BLOCK 2** CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT, "C" (URBAN, PROTECTED RESIDENTIAL ETC.) DISTRICT AND "D" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS ETC.) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.

 **BLOCK 3** CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT AND "B-1" (SUBURBAN AGRICULTURAL AND RESIDENTIAL, ETC.) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.

 **BLOCK 4** CHANGE IN ZONING FROM "C" (URBAN, PROTECTED RESIDENTIAL, ETC.) DISTRICT AND "D" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, ETC.) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.

North



Scale

N.T.S.

Reference File No.

ZA-80-66, ZA-80-82  
ZA-83-59, CJ-85-G

Date

AUG. 1985

Drawing No.

85-H-114



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NUMBERS  
841 and 849 UPPER WENTWORTH STREET AND REAR LAND

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet Number E-27 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "HH" (Restricted Community Shopping and Commercial) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 14A(1) of By-law No. 6593, the following,

- (i) PUBLIC USES shall be prohibited:

- 1. The uses referred to in clause 11(1)(viii) of By-law No. 6593;

- (ii) COMMERCIAL USES shall be prohibited:

- 1. The uses referred to in clause 13(1)(vii) of By-law No. 6593.

2. An acutioneer's premises referred to in clause 14(1)(xiv) of By-law No. 6593.
3. The uses referred to in clauses 14A(1)(ca) and (cb) of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-924".

5. Sheet Number E-27 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-924".

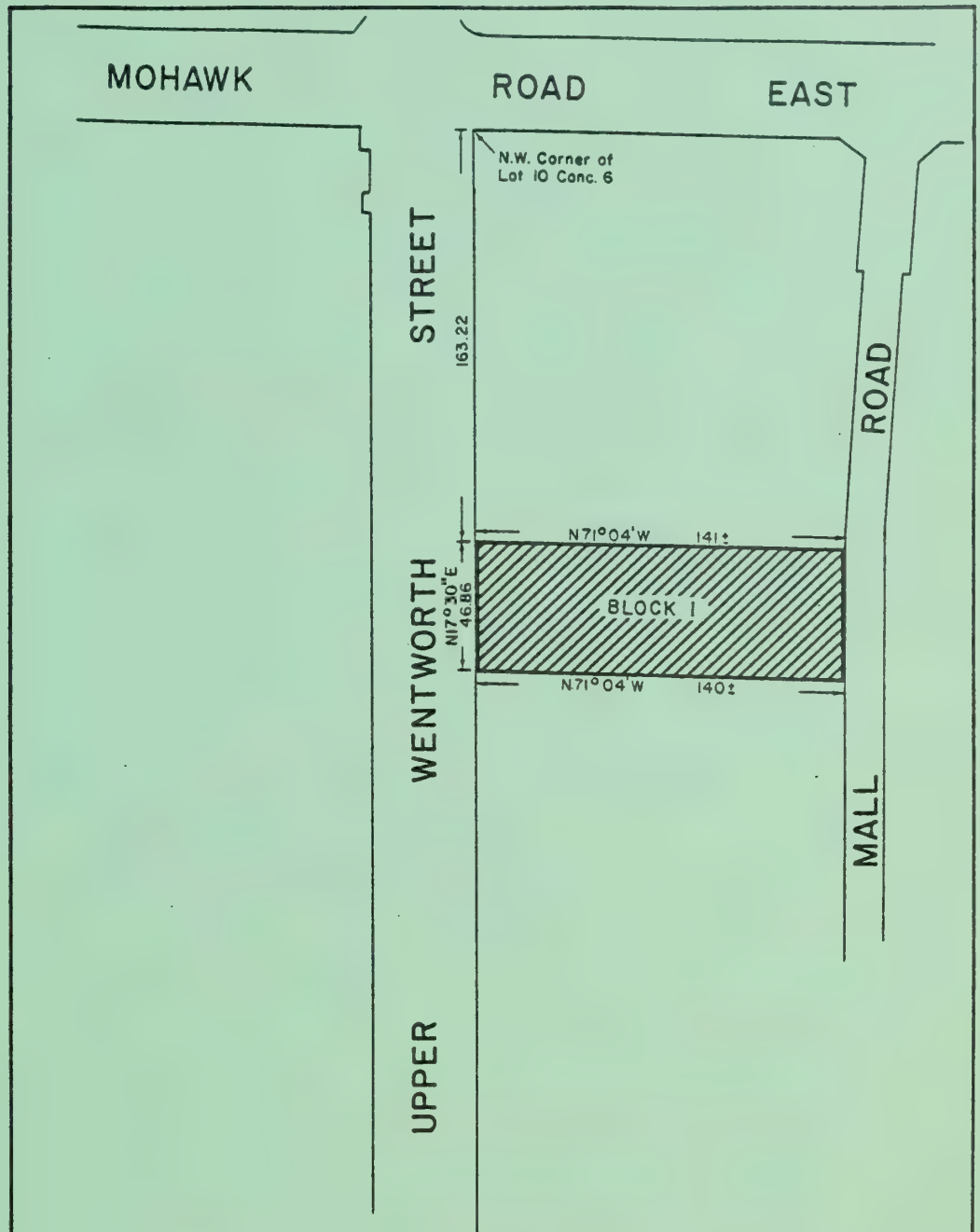
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 22 R.P.D.C. 6(B)(i), July 30  
Gordon Allan Eaton & Mary Olive Eaton, Owners (ZA-80-70)  
E. Monkley, Owner (ZA-80-79)  
City Initiative 85-J



ALL DIMENSIONS ARE IN METERS

THIS IS SCHEDULE "A" TO BY-LAW No. 85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

**CITY OF HAMILTON  
SCHEDULE 'A'**

MAP FORMING PART OF

**BY-LAW No. 85-**

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

**BLOCK 1**  
 CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.

North



Scale  
N.T.S.

Date  
AUG. 1985

Reference File No.  
ZA-80-70 ZA-80-79  
& C.I.85-3.

Drawing No.  
85-H-113

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

By-law No. 84-252

Respecting:

**CONVEYANCE OF LAND FOR PARK PURPOSES**

WHEREAS By-law No. 84-252, passed on the 27th day of November, 1984, in accordance with section 41 of The Planning Act, 1983, requires conveyance of land for park purposes or money to the value of the land as a condition of development or redevelopment;

AND WHEREAS clause 1(c) of By-law No. 84-252 defines development as follows:

(c) "development" means,

- (i) the construction, erection or placing of one or more buildings or structures on land; or
- (ii) the making of an addition or alteration to or within a building or structure that has the effect of increasing the number of dwelling units or the size of the useability of the building or structure;

AND WHEREAS it is desirable that an increase in the size or useability of a building or structure not be considered as development.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subclause 1(c)(ii) of By-law No. 84-252 is amended by striking out "or the size of the useability of the building or structure" at the end thereof.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 250 JAMES STREET SOUTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 250 James Street South and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

(i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;

(ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this

day of

A.D. 1985.

City Clerk

Mayor

SCHEDULE "A"

To

By-law No. 85-  
250 James Street South,  
Hamilton, Ontario

ALL AND SINGULAR that certain parcel of land and premises situate lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth (formerly the County of Wentworth) and being composed of all of Lot Number Fifty-five (55) and the southerly four feet (4') throughout from front to rear of Lot Number Fifty-four (54) situated on the northwest corner of James and Herkimer Streets in the said City and being in the last survey of Lots made for Peter H. Hamilton, Plan 1270 in the said City in block bounded by James, Herkimer and MacNab Streets and Charlton Avenue which may be more particularly described as follows:

COMMENCING at the point of intersection of the westerly limit of James Street with the northerly limit of Herkimer Street in the said City of Hamilton;

THENCE northerly along the westerly limit of James Street Sixty feet (60') to a point;

THENCE westerly and parallel to Herkimer Street a distance of one hundred and eighteen feet six inches (118' 6") to a point on the westerly limit of said Lot Number Fifty-four;

THENCE southerly along the westerly limits of said Lots Number Fifty-four and Fifty-five sixty feet (60') to a point on the northerly limit of Herkimer Street;

THENCE easterly along the northerly limit of Herkimer Street one hundred and eighteen feet six inches (118' 6") to the place of beginning, being the lands intended to be conveyed to the said Lily Edith Waugh by Instrument No. 4193 N.S.

SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

250 James Street South,  
Hamilton, Ontario

250 James Street South is considered one of Hamilton's finest examples of a Second Empire Style residence. The home was built in 1880 for the Hamilton Real Estate Association and was designed by James Balfour, a local architect noted for his plans for the Detroit Art Museum and the Hamilton City Hall (1889).

Located at the northwest corner of Herkimer Street, Balfour's house is a vital component in the James South streetscape. Its construction was part of a late 19th century expansion which resulted in a fashionable and coherent Victorian neighbourhood along James South. Despite later changes, this historic streetscape continues to be a prominent urban feature of Hamilton today.

Architecturally, 250 James South displays the tall proportions and decorative detail characteristic of the Second Empire Style, namely, the slate mansard roof, arched windows and doors, shutters, brackets, dormers, corner quoins and elaborate chimneys.

Of historical interest is the long-term occupancies of two noted Hamiltonians--merchant William J. Waugh, active in the Y.M.C.A., and physician John F. Houston.

250 James Street South is listed on the Hamilton Inventory of Architecturally and Historically Significant Buildings and is included in the Adamson Survey and in the publication, "Victorian Architecture in Hamilton" by A.G. McKay.

Important to the preservation of 250 James South is the retention of the original features on the east, south and north facades.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 316 JAMES STREET SOUTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 316 James Street South and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this

day of

A.D. 1985.

City Clerk

Mayor



SCHEDULE "A"

To

By-law No. 85-  
316 James Street South,  
Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of the following:

FIRSTLY

Parcel Unit 1, Level 1, in the register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and its appurtenant common interests.

SECONDLY

Parcel Unit 2, Level 1, in the register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

THIRDLY

Parcel Unit 3, Level 1 and its appurtenant common interests as shown on Wentworth Condominium Plan No. 84 registered in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

FOURTHLY

Parcel Unit 1, Level 2, in the Register for Wentworth Condominium Plan No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

FIFTHLY

Parcel Unit 1, Level 3, in the Register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

SIXTHLY

Parcel Unit 2, Level 3, in the Register for Wentworth Condominium Corporation No. 84, situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and its appurtenant common interests.

SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

316 James Street South,

Hamilton, Ontario

Ballinahinch, the stately stone mansion located at 316 James Street South where Aberdeen Avenue intersects, was built originally in 1849-50 as the residence for Aeneas Sage Kennedy, a Scottish dry goods merchant. Known as the Wilderness, Kennedy's home was rebuilt after a fire caused major damage in 1853. When lawyer Edward Martin purchased the residence in 1870, he renamed the home Ballinahinch after his grandfather Humanity Martin's estate in Ireland. He also added such baronial attributes as the family coat-of-arms over the front entrance. Designer of the original building was William Thomas, a well known architect of the mid-19th century.

316 James Street South has been rated a building of architectural excellence in the Adamson inventory. It is highly valued as an outstanding example of the country villa style, showing both Italianate and Gothic features, and as a work of an important early Canadian architect. It is significant also as a rare survivor from one of Hamilton's most distinguished building periods, the era of limestone architecture (1840's-50's), when manorial estates populated the rising slopes of Hamilton mountain.

Ballinahinch formerly served as the private home of such leading Hamiltonians as Edward Martin, founder of the Martin and Martin law firm, publisher William Southam and industrialist Frank McKune. In 1944, 316 James South was converted into apartments and in 1980 into condominiums.

Of importance is the conservation of the original features of Ballinahinch, particularly on the east and south facades, including but not limited to the main tower, slate roof, the stone walls and decorative architectural features as well as the interior staircase, entranceway, and central hall.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 109 GEORGE STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 109 George Street and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this

day of

A.D. 1985.

City Clerk

Mayor

(1985) 8 R.P.R.C. 7, May 28

SCHEDULE "A"

~

By-law No. 85-

109 George Street,

Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth (formerly in the City of Hamilton, in the County of Wentworth), and being composed of parts of Lots Numbers Three and Two in the George Tiffany Survey and lying on the southerly side of George Street in the block bounded by Queen Street South, Main Street West, Hess Street South and George Street, the said lands being more particularly described as follows, that is to say:

COMMENCING at the point of intersection of the northerly production of the centre line of a party wall erected between the dwellings known as City Numbers 107 and 109 George Street, said point of intersection being distant one hundred and twenty-four feet nine inches (124' 9") from the intersection of the southerly limit of George Street with the easterly limit of Queen Street South; THENCE westerly along the southerly limit of George Street North sixty-seven degrees fifty minutes west (N 67° 50'W) forty-one feet (41') to a point; THENCE south twenty degrees forty minutes west (S 20° 40'W) to and along a fence now erected one hundred and seventeen feet three inches (117' 3") to a point in a fence now erected along the southerly boundary of an alleyway; THENCE south sixty-nine degrees twenty minutes east (S 69° 20'E) forty-one feet four inches (41' 4") more or less to the point of intersection of this limit with the southerly production of the centre line of the party wall hereinbefore mentioned; THENCE northerly to and along the said centre line of the party wall as aforementioned and the northerly production thereof one hundred and fifteen feet six inches (115' 6") more or less to the place of beginning. On the above described property is situate a semi-detached brick dwelling known as City Number 109 George Street.



TOGETHER WITH a right-of-way in common with all others entitled thereto on, over and along a strip of land, being ~~the~~ ~~of~~ Lots One <sup>+ PART</sup> Two and Three in said survey ----- cont'd <sub>of Lots</sub>

having an uniform width of ten feet (10') throughout and extending from the westerly limit of the above described property to the easterly limit of Queen Street said right-of-way being more particularly described as follows: COMMENCING at a point in the easterly limit of Queen Street distant one hundred and nine feet three inches (109' 3") southerly along said limit from its intersection with the southerly limit of George Street; THENCE South sixty-nine degrees twenty minutes east (S 69° 20' E) seventy-five feet four inches (75' 4") to a point; THENCE south twenty degrees forty minutes west (S 20° 40' W) ten feet (10') to a point in a fence now erected along the southerly limit of an alleyway herein described; THENCE north sixty-nine degrees twenty minutes west (N 69° 20' W) seventy-five feet (75') more or less to the easterly limit of Queen Street; THENCE north eighteen degrees east (N 18° E) ten feet (10') to the place of beginning.

AND SUBJECT to the right-of-way in favour of the owners from time to time of the remaining portion of said Lots Two and Three and Lot One in said survey lying on the southerly side of George Street on, over and along the southerly ten feet of the herein-before described property and extending from the easterly limit of the westerly limit of the said property.

DESCRIPTION APPEARS REGISTERABLE  
22

SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

109 George Street,  
Hamilton, Ontario

#107-109 George Street are semi-detached brick houses constructed in 1870-71 for noted Hamilton industrialist John Moodie. The buildings are listed on the Hamilton Inventory of Architecturally and Historically Significant Buildings and the immediate neighbourhood of Hess Village is listed as a Potential Heritage Conservation District.

Architecturally, the buildings exhibit a high quality of vernacular rowhouse design and historically, the buildings' connection with an important Hamilton citizen increases their heritage value. John Moodie was a leading entrepreneur of the late nineteenth century who is best known as one of the Five Johns, celebrated for their role in bringing hydro power into Hamilton from the distant site of De Cew Falls.

Important to the preservation of #107-109 George Street is the retention of the original features on the north, east, and west facades including but not limited to the central gable, brackets, the bay windows, the front doorway and the pointed arched window in the gable.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 433 BAY STREET NORTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 433 Bay Street North and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

SCHEDULE "A"

To

By-law No. 85-

433 Bay Street North,

Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of parts of lots numbers eight(8) and nine (9) , in Block 39, according to plan of survey made for Sir Allan McNab, and registered in the Registry Office for the Registry Division of Wentworth as Number 127, and which may be more particularly described as follows, that is to say:- COMMENCING at a point in the western limit of Bay Street where it is intersected by the production easterly of the line of an existing picket fence, the said point being distant five feet and nine inches (5'9") measured on a course of north nineteen degrees and twenty minutes east (N.19°20'E) along the said western limit of Bay Street from the division line between lots number eight (8) and nine (9);

THENCE North sixty-nine degrees and eight minutes West (N.69°08'W) to and along the line of the aforesaid picket fence, fifty-eight feet (58') to a point;

THENCE North seventy-two degrees and forty minutes West (N.72°40'W) following the line of an old fence as marked by strands of wire strung on trees and posts, seventy-nine feet and nine inches to a point (79'9");

THENCE South nineteen degrees and twenty minutes West (S.19°20'W) and parallel with the said western limit of Bay Street, twenty-three feet and seven inches (23'7") more or less to a point in a line drawn on a course of North sixty-nine degrees and eight minutes West (N.69°08'W) from a point in the western limit of Bay Street which is distant twenty-seven feet and seven inches (27'7") measured southerly thereon from the place of beginning;

THENCE South sixty-nine degrees and eight minutes east (S.69°08'E) one hundred and thirty-seven feet and eight inches (137'8") more or less to a point in the western limit of Bay Street;



thence North nineteen degrees and twenty minutes East (N.19°20'E) along the western limit of Bay Street, twenty-seven feet and seven inches (27'7") more or less to the place of beginning.

ON THE above described parcel of land is erected the brick dwelling known as Number 433 Bay Street North.

TOGETHER WITH THE RIGHT to pass over, along and upon and use as a right-of-way, that part of the lands immediately adjoining on the south, being part of Lot number nine (9) aforesaid, which may be more particularly described as follows, that is to say:- COMMENCING at the south-eastern angle of the hereinbefore described parcel of land.

THENCE southerly along the western limit of Bay Street, three feet and seven and three-quarter inches (3'7 3/4") more or less to a point in the production easterly of the line of the northern face of the northern wall of the brick dwelling erected upon the lands immediately adjoining on the south and known as number 431 Bay Street North;

THENCE westerly to and along the northern face of the aforesaid dwelling and the production westerly of the line thereof, fifty-five feet (55') to a point;

THENCE northerly and parallel with the western limit of Bay Street, three feet and eight inches (3'8") more or less to a point in the southern limit of the hereinbefore described parcel of land.

THENCE easterly along the southern limit of the hereinbefore described parcel of land, fifty-five feet (55') to the place of beginning.

SUBJECT TO THE RIGHT by the owners, tenants and occupants of the aforesaid brick dwelling erected upon the lands immediately adjoining on the south and known as Number 431 Bay Street North to pass over, along and upon and use as a right-of-way, that part of the hereinbefore described parcel of land, being part of lot number nine (9) aforesaid, which may be more particularly described as follows, that is to say:-

COMMENCING at the south-eastern angle of the hereinbefore described parcel of land;

THENCE northerly along the western limit of Bay Street, three feet and eight inches (3'8") more or less to a point in the production easterly of the line of the southern face of the southern wall of the aforesaid dwelling erected upon the lands hereinbefore described and known as Number 433 Bay Street North;

THENCE westerly to and along the southern face of the said last mentioned dwelling, thirty-one feet and seven and one-quarter inches (31'7 1/4") more or less to the south-western angle of the front portions of the said dwelling, the said angle being distant three feet and three and one-quarter inches (3'3 1/4") measured northerly at right angles from the southern limit of the herein described parcel of land.

THENCE continuing westerly and parallel with the southern limit of the hereinbefore described parcel of land, twenty-three feet and four and three-quarter inches (23' 4 3/4") to a point;

THENCE southerly and parallel with the western limit of Bay Street, three feet and three and one-quarter inches (3' 3 1/4") to a point in the southern limit of the hereinbefore described parcel.

THENCE easterly along the southern limit of the hereinbefore described parcel fifty-five feet (55') to the place of beginning.

DESCRIPTION APPEARS RECORDED  
MS

SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

433 Bay Street North,  
Hamilton, Ontario

#433 Bay Street North is a two-storey, brick residence built in 1885 by Henry Louis Bastien for his son Louis. The home is located in the historic port community of the North End on a height of land that overlooks the western end of Hamilton Harbour.

The significance of the building derives in part from its location and its close associations with Hamilton's waterfront history. Original owner of the property H.L. Bastien was a nationally known designer and builder of sailboats, canoes, rowboats, etc. The Bastien boatworks, founded in 1865, were located to the rear of the home.

The home remained in the Bastien family ownership for over 60 years until sold by his daughter Olevine in 1947.

Architecturally, #433 Bay Street North displays popular stylistic features of the period, notably, the bay window, contrasting brick trim, segmental arched windows and brackets.

The building is listed on Hamilton's Inventory of Architecturally and Historically Significant Buildings. Of particular importance in the conservation of this building are the east and south facades.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

THE PROPERTY LOCATED AT MUNICIPAL NO. 107 GEORGE STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 107 George Street and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor



SCHEDULE "A"

To

By-law No. 85-

107 George Street,

Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of Part of Lot Number Three (3) of the George Tiffany Survey, and lying on the southerly side of George Street in the block bounded by Queen Street South, Main Street West, Hess Street South and George Street, said lands being more particularly described as follows:

COMMENCING at a stake set in the southerly limit of George Street distant one hundred and sixty-two feet seven and one-half inches (162'7½") measured easterly along said limit from its intersection with the easterly limit of Queen Street South; THENCE north sixty-seven degrees fifty minutes west, thirty-seven feet ten and one-half inches more or less to the point of intersection of the northerly production of the centre line of the party wall erected between the dwellings known as City numbers 107 and 109 George Street;

THENCE southerly in a straight course to and along the centre line of the party wall and the southerly production thereof one hundred and fifteen feet six inches to a fence erected;

THENCE south sixty-nine degrees twenty minutes east along said fence forty-five feet eleven inches to a post;

THENCE north eighteen degrees forty minutes east, one hundred and fourteen feet eleven inches more or less to the place of beginning.

ON THE ABOVE-DESCRIBED property is situate the semi-detached red brick dwelling known as No. 107 George Street.

TOGETHER with the right of way in common with all others entitled thereto on, over and along a strip of land being part of lots 1, 2 and 3 in said survey in said Block having a uniform width of ten feet throughout and extending westerly from the westerly limit of the afore-described property to the easterly limit of Queen Street, the said right of way being more particularly described as follows:

COMMENCING at a point in the easterly limit of Queen Street distant one hundred and nine feet three inches measured southerly along said limit from its intersection with the northerly limit of George Street;

THENCE south sixty-nine degrees twenty minutes east one hundred and sixteen feet eight inches to a point;

THENCE south twenty degrees forty minutes west, ten feet to a point;

THENCE north sixty-nine degrees twenty minutes west one hundred and sixteen feet four inches more or less to the easterly limit of Queen Street;

THENCE north eighteen degrees east ten feet more or less to the place of beginning.

AND SUBJECT to the existing rights of the owners of the remaining portion of said Lot Three and Lots One and Two in said survey, adjoining immediately to the west of the above described property on, over and along the above-mentioned right of way.

DESCRIPTION APPEARS REGISTERABLE  
49

SCHEDULE "B"

To

By-law No. 85-

REASONS FOR DESIGNATION

107 George Street,  
Hamilton, Ontario

#107-109 George Street are semi-detached brick houses constructed in 1870-71 for noted Hamilton industrialist John Moodie. The buildings are listed on the Hamilton Inventory of Architecturally and Historically Significant Buildings and the immediate neighbourhood of Hess Village is listed as a Potential Heritage Conservation District.

Architecturally, the buildings exhibit a high quality of vernacular rowhouse design and historically, the buildings' connection with an important Hamilton citizen increases their heritage value. John Moodie was a leading entrepreneur of the late nineteenth century who is best known as one of the Five Johns, celebrated for their role in bringing hydro power into Hamilton from the distant site of De Cew Falls.

Important to the preservation of #107-109 George Street is the retention of the original features on the north, east, and west facades including but not limited to the central gable, brackets, the bay windows, the front doorway and the pointed arched window in the gable.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

A MUNICIPAL QUESTION TO THE VOTE OF THE ELECTORS

WHEREAS paragraph 25 of section 208 of The Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

208. By-laws may be passed by the councils of all municipalities:

25. For submitting to the vote of the electors any municipal question not specifically authorized by law to be submitted;

AND WHEREAS City Council at its meeting held on the 14th day of February, 1984 approved the following resolution moved by Alderman Brian Hinkley and seconded by Alderman H. Merling:

WHEREAS, in 1978, an independent Commission headed by Henry Stewart, and entitled, "The Hamilton-Wentworth Regional Review Commission", did recommend that the Head of Council be elected at large;

AND WHEREAS, the Hamilton City Council, in its response to the Commission's recommendations, did support the popular election of the Head of the Hamilton-Wentworth Regional Council;

AND WHEREAS, the Regional Council supports the election of Regional Chairman at large, and the present City Council unanimously supports the election of Regional Chairman, and both the New Democratic Party of Ontario and the Liberal Party of Ontario supports the election of Regional Chairman at large;

AND WHEREAS, thousands of citizens of the Region have signed a petition calling upon the Provincial Government of Ontario to allow the citizens to choose their own Regional Chairman;

AND WHEREAS, the Provincial Government has refused to give the citizens of the Region this basic democratic right to choose, by popular election, the Head of Regional Council;



THEREFORE BE IT RESOLVED, in order to impress upon the Provincial Government of Ontario the wishes of the people of Hamilton that the following question be put on the ballot of the next Municipal Election:

"Are you in favour of having the Regional Chairman's position being elected at large:

YES \_\_\_\_\_ NO \_\_\_\_\_"

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that the following question be submitted to the vote of the electors at the 1985 Municipal Election:

"Are you in favour of having the Regional Chairman's position being elected at large:

YES \_\_\_\_\_ NO \_\_\_\_\_"

PASSED this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1985.

City Clerk

Mayor

Resolution, February 14, 1984

DRAFT #1

The Corporation of the City of Hamilton FOR DISCUSSION PURPOSES

BY-LAW NO. 85-

To Amend:

MAY 24 1985  
ONLY  
CITY SOLICITOR  
THE CITY OF HAMILTON

Street Vendors By-law No. 85-66

Respecting:

RENEWAL OF AGREEMENTS AND  
ADVERTISEMENT OF GOODS AND SERVICES

WHEREAS By-law No. 85-66, passed on the 9th day of April, 1985 pursuant to various provisions of The Municipal Act as therein set out, provides for the use of parts of sidewalks by Street Vendors;

AND WHEREAS it is intended to amend the said by-law in order to allow for renewal of Agreements with street vendors.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 6 of By-law No. 85-66 is amended by adding thereto the following subsection:

(2) Notwithstanding any application made for a stand, or the order referred to in subsection 1, an Agreement may be renewed or extended and a Permit issued for a period commencing on the expiry of the immediately preceding Agreement, upon such terms and conditions as the City may require.

2. Paragraph 4 of section 15 of the said by-law is repealed and the following substituted therefor:

4. Not use signs, advertising devices or other means of advertising that are not attached to the stand.

4a. Not use the stand to advertise any matter or thing other than the actual goods exposed or offered for sale by retail.

3. Paragraph 3 of section 16 of the said by-law is repealed and the following substituted therefor:

3. Not use signs, advertising devices or other means of advertising to advertise a service that is not specified in the Agreement.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

AN ADDITIONAL EXPENDITURE IN RESPECT OF THE PIPING SYSTEM  
BETWEEN THE CENTRAL UTILITIES PLANT AND HAMILTON PLACE

WHEREAS the Ontario Municipal Board, by Order dated the 13th day of October, 1970 (File No. G 9744-70), approved,

- (a) the construction of a Theatre-Auditorium in the Civic Square on the north side of Main Street West, west of MacNab Street at an estimated cost of \$8,583,800.00 and the borrowing of money by way of temporary advances not exceeding \$4,183,800.00, and
- (b) the issue of debentures in a principal amount not exceeding \$4,183,800.00 repayable over a term of not more than twenty years;

AND WHEREAS By-law No. 70-330, passed on the 10th day of November, 1970, authorized the construction aforesaid;

AND WHEREAS the said Board, by Order dated the 3rd day of December, 1970 (File No. G 9744-70), approved,

- (a) reducing the cost of construction of the Theatre-Auditorium by \$600,000.00 from \$8,583,800.00 to \$7,983,800.00 and the reducing of the current revenue payments to be made in each of the years 1970 and 1971 by \$300,000.00 from \$600,000.00 to \$300,000.00 in each of such years;

AND WHEREAS By-law No. 71-31, passed on the 9th day of February, 1971, gave effect to the Board's Order dated the 3rd day of December, 1970;

AND WHEREAS the said Board, by Order dated the 18th day of June, 1971 (File No. G 9744-70), approved,

- (a) the additional expenditure of \$2,200,000.00 for the completion of construction of the Theatre-Auditorium and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issue of debentures in a principal amount not exceeding \$2,200,000.00 repayable within a term prescribed by the previous Order;

AND WHEREAS By-law No. 71-211, passed on the 31st day of August, 1971, gave effect to the Board's Order dated the 18th day of June, 1971;

AND WHEREAS the said Board, by Order dated the 3rd day of September, 1971 (File No. G 9744), approved,

- (a) the transfer of the sum of \$439,216.26, a part of the amount realized from the sale of debentures for purposes other than that for which the debentures were issued, to pay part of the cost of construction of the Theatre-Auditorium;

AND WHEREAS the said Board, by Order dated the 26th day of September, 1973 (File No. G 9744), approved,

- (a) an additional expenditure of \$125,000.00 for completion of the construction of the Theatre-Auditorium and the borrowing of money not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of debentures in a principal amount not exceeding \$125,000.00, repayable within the term prescribed by the previous Order;

AND WHEREAS By-law No. 74-11, passed on the 15th day of January, 1974, gave effect to the Board's Order dated the 26th day of September, 1973;

AND WHEREAS the said Board, by Order dated the 8th day of July, 1985 (File No. G 9744), approved,

- (a) an additional expenditure of \$140,000.00 covering an additional estimated cost of this amount, and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost pending the sale of the debentures, and
- (b) the issuance of additional debentures in the amount of \$140,000.00 by the Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the reconstruction and/or alteration of the existing piping system and accessory equipment of Hamilton Place, connected to the Central Utilities Plant, may now proceed at an additional expenditure of \$140,000.00 to be financed by the issuance of additional debentures in the amount of \$140,000.00, in accordance with the Ontario Municipal Board Order, dated the 8th day of July, 1985, (File No. G 9744).



2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 8 R.F.C. 19, April 30

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

THE REPLACEMENT OF AN ICE-MAKING SYSTEM  
AT THE INCH PARK ARENA

WHEREAS the Ontario Municipal Board, by Order dated the 2nd day of August, 1985, (File No. E 850719), approved,

- (a) the replacement of an Ice-Making System at the Inch Park Arena at an estimated cost of \$600,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the replacement of an Ice-Making System at the Inch Park Arena may now proceed in accordance with the Ontario Municipal Board Order dated the 2nd day of August, 1985, (File No. E 850719).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

BY-LAW NO. 85 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE DAY OF  
A.D., 1985

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1985

City Clerk

Mayor







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SEP 10 1985

GOVERNMENT DOCUMENTS

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, 1985 September 10  
7:30 o'clock p.m.  
Council Chambers  
City Hall

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\*7:00 o'clock p.m., Room 233 - Presentation - Hamilton Marathon Race

**A G E N D A**

1. Prayer
2. Presentation - Civic Employees - 35 years service
3. Minutes of the meetings held 1985 August 27 and September 03
4. Correspondence
5. Reports of Standing Committees - attached:

B	Parks and Recreation Committee
D	Legislation Committee
F	Finance Committee
G	Licencing Committee
H	Special Harbour Committee
6. Notices of Motion for next meeting
7. First reading of the Bills
8. Second reading of Bills - Committee of the Whole
9. Third reading of Bills
10. Question period
11. Adjournment



## REPORTS









## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTEENTH** Report for 1985 and respectfully recommends:

1. (a) That the "Additional Project Charges" for the Victor K. Copps Trade Centre/Arena in the total amount of \$941,825.00, as set forth in Schedule "A" attached hereto, be approved.
- (b) That the Finance Committee be requested to recommend the method of financing.
2. (a) That the appropriation for the Replacement of the Inch Park Rink Ice Making System be increased from \$600,000 to \$900,000.
- (b) That the Finance Committee recommend the method of financing for the additional requirement of \$300,000.

**NOTE:** The sum of \$600,000 was allocated previously for the replacement of the rink slab, piping and machinery in the arena, as the present equipment can no longer be safely operated or repaired. While the original estimate of \$600,000 for this project was concurred in by H.H. Angus and Associates, the City's Consultants on this project, the tenders received were never the less in excess of the pre-tender estimate.

3. For the information of the members of City Council, the Committee wishes to advise that it has directed the City Architect and Co-ordinator of Lloyd D. Jackson Square to retender the Inch Park Rink Renovation Project, inasmuch as the tenders received were far in excess to the pre-tender estimate. As a result of this direction to retender, the re-opening of the Inch Park Rink will be further delayed by an additional one month, namely February, 1986.

The Committee further wishes to advise that it has directed the Director of Culture and Recreation to advise all organizations utilizing this facility of the further delay and request their co-operation in this regard.

**Respectfully submitted,**

**Alderman B. Hinkley, Chairman  
Parks and Recreation Committee**

J. J. Schatz,  
Secretary  
1985 September 04

**ADDITIONAL PROJECT CHARGES -  
VICTOR K. COPPS GRADE CENTRE/ARENA**

Schedule "A" as referred to  
in Item 1 of the SIXTEENTH  
Report of the Parks and  
Recreation Committee.

**A. SUMMARY OF ITEMS OUTSIDE SCOPE OF ORIGINAL CONTRACT**

ITEM	DESCRIPTION	NOTE	AMOUNT
1.	Damp-proofing of walls to Phase II & Phase IV properties, i.e. C.C.O. #25.	- Requested by Yale Properties, adjacent property lessee. - claim by Contractor outstanding.	\$ 15,260.00
2.	Expansion Joint Details, Plaza Level, Phase II and IV, i.e. C.C.O. #47R.	- Requested by Yale Properties, adjacent property lessee. - Total cost of work \$33,035.00 of which \$17,000.00 attributable to Yale Property request. - Total cost of \$33,035.00 paid out of funds supplied by General Contingency Allowance for Construction Contract.	\$ 17,000.00
3.	Additional Cable Trays - i.e. C.C.O. #60	- additional work requested by the City. - Total cost of \$11,578.00 paid out of funds supplied by General Contingency Allowance for Construction Contract.	\$ 11,578.00
4.	Provisions i.e. structural and electrical for future Dish Antenna, i.e. C.C.O. #77-1 and 2.	- additional work requested by the City. - total cost of \$9,635.00 paid out of funds supplied by General Contingency Allowance for Construction Contract.	\$ 9,635.00
5.	Revisions to curb alignment, hydro, along York Blvd., and Bay St. i.e. C.C.O. #95.	- original layout as per Contract Specifications revised by Regional Engineering Department. - work yet to commence.	\$ 5,981.00
6.	Passenger elevator call buttons for use by the blind, i.e. C.C.O. #114.	- additional work requested by the City after consultation with the Regional Committee on Physically Handicapped.	\$ 1,171.00
7.	additional catch basin, south east corner of Bay St. & York Blvd.	- additional work recommended by the City. - work yet to be initiated.	\$ 5,000.00
8.	Additional Doors; (1) in 2 hr. fire separation concrete block wall. (2) system Control Room area.	- additional work requested by the City. - work yet to be initiated.	\$ 4,000.00
SUB TOTAL			\$ 69,625.00



B. ANTICIPATED MAJOR EXPENDITURES

-2-

ITEM			
1. Revisions to Ticket/Box Office Area, i.e. C.C.O. #98	- additional work required to increase the capacity of the Ticket/Box Office area by 100% as requested by the City - portion of work, i.e. mechanical and electrical in the total amount of \$25,115.00 added to present Construction Contract and paid out of funds supplied by the General Contingency Allowance for Construction Contract.	\$ 80,000.00	
2. Revisions to two Private Boxes, revise enclosure on Rink Side, i.e. C.C.O. #122	- additional work requested by the City	\$ 10,000.00	
3. Addition of eight new Private Boxes, revise enclosure on Rink Side, i.e. C.C.O. #123.	- additional work requested by the City - original budget price of \$213,000.00 increased by 1) revisions to enclosure 2) no credit for displaced fixed seating 3) cost escalation of 12% from original Pigott estimates of December 1983.	\$ 82,000.00	
4. Finishing including furniture for nine Private Boxes.	- original budget price of \$180,000. increased by 12% due to inflation, cost escalation. Original budget established January 1984.	\$ 21,600.00	
5. Conversion of one Private Box to Main Cameras location, i.e. finishing, mechanical and electrical revisions/provisions.	- additional work requested by the City. - allowance for finishing as per Item 4 retained for specialized finishing.	\$ NIL	
6. Installation of scoreboard, hoist assembly and controls	- structural and electrical revisions, labour and transportation necessary for the Owners component of the installation	\$ 100,000.00	
7. Exterior Electronic Signboards, Bay St. & York Blvd., south-east corner Concourse Level.	- budget amount of \$150,000.00 included in Items to be Purchased Outside Construction Tender for one exterior sign. - additional signs requested by the City.	\$ 200,000.00	
8. Maintenance Shop, lunchroom for operations staff to be located on Rink level.	- additional work requested by the City - work yet to be initiated	\$ 40,000.00	
9. Public First Aid Room, including finishing, furnishing & equipment, Security office with holding cells, including finishing & furnishing.	- additional work requested by City - work yet to be initiated.	\$ 50,000.00	

B. ANTICIPATED MAJOR EXPENDITURES - Cont'd.

ITEM	DESCRIPTION	NOTE	AMOUNT
10.	Concessions - Mechanical and electrical provisions, rough-in.	- additional City work required by Concessionaire - details to be determined.	\$ 100,000.00
11.	Sales Tax Increases	- Construction Contract permits the Contractor to claim for additional costs, resulting from sales tax increases. Since the commencement of construction two (2) Sales Tax Increases have been introduced with the effect of same resulting in estimated increases of \$128,000.00 and \$ 16,350.00 respectively.	\$ 144,350.00
SUB-TOTAL			\$ 827,950.00

C. ADDITIONAL DESIGN SERVICES

ITEM	DESCRIPTION	NOTE	AMOUNT
1.	Satellite Dish - Structural design for provision for new dish antenna, north east mechanical tower roof	- consulting fees as invoiced by Carruthers and Wallace Ltd.	\$ 250.00
2.	Scoreboard - structural and electrical design for provisions for new scoreboard.	- consulting fees for investigative and design services as invoiced by Parkin Partnership, Carruthers and Wallace, H.H. Angus Ltd.	\$ 15,000.00
3.	Administration/Ticket Office Areas - architectural, mechanical and electrical design of revised office arrangements including interior design of Administration area.	- consulting fees for design services as invoiced by Parkin Partnership and H.H. Angus Ltd.	\$ 23,000.00
4.	Concessions - mechanical and electrical design of City services necessary to accommodate Concession installation.	- future consulting fees for design services of H.H. Angus Ltd.	\$ 4,000.00
5.	Printing Charges for tender documents, plans and specifications.	-	\$ 2,000.00
SUB-TOTAL			\$ 44,250.00
TOTAL -			<u>\$ 941,825.00</u>









## REPORT OF THE LEGISLATION COMMITTEE

To The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **THIRTEENTH** Report for 1985 and respectfully recommends:

1. (a) That permission be granted to the Canadian Red Cross Society to hold a Blood Donor Clinic on the second floor foyer area in front of the City Council Chambers on Wednesday, 1985 December 11.
- (b) That three parking spaces be provided on the upper parking level for use by the Red Cross Society equipment trucks.

**NOTE:** For the information of the members of Council, the hosting of this clinic will result in a cost of approximately \$42.00 for refreshments which will be charged to Unclassified Account No. 0378-2700. Further, inasmuch as this clinic is being held on the second floor, and in order to not disrupt the Aldermen's secretaries, two section dividers will be placed in front of the two Aldermen's secretaries desks in the foyer area for the duration of the clinic.

2. That permission be granted to the United Nations Association and the Hamilton and District United Nations Association for the use of the City Hall Council Chambers on 1986 May 26 from 6:30 to 10:00 p.m. and Room 233 from 6:30 to 7:30 p.m. for a joint meeting between the two Associations.
3. That approval be given to the Mum Show Committee to hang a banner on the City Hall balcony from 1985 October 28 to 1985 November 17 to advertise the annual Mum Show.
4. That permission be granted to hang a banner on the balcony of City Hall from 1985 September 16 to 1985 September 24 for the purpose of advertising the City Hall Open House to take place on Tuesday, 1985 September 24.
5. That sterling silver civic rings be awarded to the Hamilton Bengals Bantam All-Star Lacrosse Team who won the Canadian Lacrosse Championships in 1985 August in Kitchener, Ontario.
6. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the Germania Club of Hamilton for their annual two day Oktoberfest event to be held 1985 October 4 and 5.
7. (a) That the following question be placed on the ballot at the forthcoming municipal election:  
**"Are you in favour of reinstating the Board of Control in the City of Hamilton?"**
- (b) That the City Solicitor be authorized and directed to prepare the necessary by-law for Council approval.

8. That the City of Hamilton endorse the resolution received from the City of Vanier respecting the constitutional guarantees in the Charter of Rights and Freedoms as follows:

**WHEREAS** a fundamental purpose of the Constitution of Canada is to protect the basic rights of all Canadians;

**AND WHEREAS** the Constitution contains provisions respecting the status and use of the English and French languages in Canada;

**AND WHEREAS** it is in the national interest that the province of Ontario adheres to Sections 16 to 20 of the Canadian Charter of Rights and Freedoms;

**BE IT THEREFORE RESOLVED THAT** the City of Vanier requests the Government of the Province of Ontario to adhere to Sections 16 to 20 of the Canadian Charter of Rights and Freedoms;

**AND BE IT FURTHER RESOLVED THAT** a copy of this resolution be forwarded to all municipalities in Ontario and the Association of Municipalities of Ontario requesting their support to this resolution.

9. That the regular City Council meeting scheduled for Tuesday, 1985 November 12, be cancelled.
10. That the City Solicitor be authorized and directed to prepare the necessary by-law for Council approval incorporating the policy statement provided by the Hamilton Society for the Prevention of Cruelty to Animals regarding dogs suspected of being vicious.
11. (a) That a display case be constructed to house the Canusa Games awards and trophies on the second floor at City Hall at an estimated cost of \$500.00.  
(b) That the Finance Committee recommend the method of financing the display case.
12. That the City purchase a half page ad in a special supplement being prepared by the Hamilton Spectator to commemorate the 75th Birthday of Stelco at an estimated cost of \$2,069.00 (to be charged to Advertising - City Clerks Account No. 0322-0112).

**NOTE:** For the information of the Members of Council, Legislation Committee authorized and directed the Mayor to meet with representatives of the Spectator to negotiate the actual cost of this ad.

13. That the City of Hamilton endorse a general boycott of South African goods and that the members of City Council be encouraged to personally support this boycott.



14. That leave be granted to introduce the following bills:

**Bill D-15**      Pigeons.

**Bill D-16**      A Municipal Question to the Vote of the Electors.

**Respectfully submitted,**

**Alderman V. J. Agro, Chairman  
Legislation**

Lynn Dale  
Secretary  
1985 September 3









## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **FIFTEENTH** Report for 1985 and respectfully recommends:

1. That the total estimated cost of \$941,825. for "Additional Project Charges" for the Victor K. Copps Trade Centre/Arena referred to in Section 1 of the Sixteenth Report of the Parks and Recreation Committee be financed from the unutilized portion of the original gross cost and debenturing authority under Ontario Municipal Board Order No. E830018 dated May 8, 1983 for the Trade Centre/Arena and be charged to Account No. 0408-U3303.

**NOTE:** Section 1 of the Sixteenth Report of the Parks and Recreation Committee makes reference to these charges and requests the Finance Committee to recommend the method of financing.

2. Approval of the purchase of one (1) Kawai Organ, Model DX 1800 for the Victor K. Copps Trade Centre/Arena from **Deans Kawai Keyboard Centre, Hamilton, Ontario.** at a cost of \$6,957. excluding Ontario Retail Sales Tax.

**NOTE:** This is the lowest of 25 proposals received and is within the budgeted amount for same.

3. Approval of the purchase of Fifteen (15) turnstiles with built-in wheels for the Victor K. Copps Trade Centre/Arena from **ITT Fluid Products Canada, Guelph, Ontario** at a cost of \$25,083., including taxes.

**NOTE:** This is the lowest of 2 proposals received and is within the budgeted amount for same.

4. Approval of the purchase of a Vario Prince II Portable Staging System and accessories for the Victor K. Copps Trade Centre/Arena from **Unican Trading Limited, Norval, Ontario.** at a cost of \$73,525.20, including taxes.

**NOTE:** This is the lowest acceptable tender of 6 received. The budgeted amount for this item is considerably lower than required, however, it is within the overall Capital Budget requirements for the project.

5. Approval of the purchase of Protective Floor Covering for the Victor K. Copps Trade Centre/Arena from **Covermaster Inc., Rexdale, Ontario.** at a cost of \$17,462.40 including applicable taxes and delivery charges.

**NOTE:** This is the lowest of three tenders received, and is within the budgeted amount for same.

6. Approval of the purchase of Homosote Floor Decking for the Victor K. Copps Trade Centre/Arena from **Covermaster Inc., Rexdale, Ontario** for the sum of \$25,091.50, including all taxes and delivery charges.

**NOTE:** This is the lowest of three tenders received and is within the budgeted amount for same.

7. Approval of the purchase of 4 1/2' wide X 20' long X 30' high scaffolding for the Victor K. Copps Trade Centre/Arena from **Swing Stage Clima Inc., Scarborough, Ontario.** at the cost of \$7,318.76 plus applicable taxes.

**NOTE:** This is the lowest of 8 quotations received. The budgeted amount for this item is approximately \$2,100. lower than required, however, it is within the overall Capital Budget requirements for the project.

8. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to increase the estimated gross cost for the replacement of the Ice Making Machine - Inch Park Arena from \$600 000 to \$900 000, O.M.B. No. E850719 dated August 2, 1985 by the issuance of additional debentures in the amount of \$300 000 for a period not to exceed fifteen years, and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$300 000 for a term not to exceed fifteen years.

Furthermore, that the City Treasurer be authorized and directed to make application for any applicable grants or subsidies for this project.

9. Approval of the sale of a landlocked parcel of land at the rear of 574 Wentworth Street North measuring 26' X 32' (more or less) to Mr. Doug Crossman, an abutting owner at a rate of \$3.00 per sq. ft., with the exact area to be determined by survey.

The Offer to Purchase was executed on August 23, 1985 and is scheduled to close on October 30, 1985.

Proceeds derived from the sale of this property are to be credited to Account No. 0280-02.

10. Approval of the settlement of the following claims:

- (a) That the claim of Mr. and Mrs. McCharles against the City and Mrs. MacAngus be settled by the City providing Mr. and Mrs. McCharles with two purple flowering Magnolias and four 3' cedars of their choice installed by the City on their property with a two year guarantee at an approximate cost to the City of \$520.00 and by removing two existing tree stumps on their property and by paying their legal costs in the amount of \$350.00, with Mrs. McAngus reimbursing the City in the amount of \$435.00 being one-half of the legal fees of \$350.00 and one-half of the approximate cost of the work to be done of \$520.00.



**NOTE:** This claim is as a result of the removal of one tree and stump of the rear of 522 - 524 Aberdeen Avenue on the mistaken impression that the lands were either a public alleyway, or a strip of land owned by the City, following the removal it was determined that the the property in question was a right-of-way only over private property, owned by Mr. and Mrs. McCharles.

- (b) By County Court Writ issued November 17, 1978, Joyce Bradt commenced action, as Plaintiff, against the City, as Defendant. She claimed damages for an injury she suffered to her right knee after falling on a City sidewalk at Jackson Street East between Nos. 120 and 128. She claimed that her fall was caused by gravel on the sidewalk. The property adjacent to the sidewalk was in the process of being converted into a parking lot and John Tennier, as owner of the property, Consolidated Wrecking Company Limited, and Stanley Baksys, as the operator of the parking lot, were added as Defendants.

A settlement has been negotiated with the solicitor for Mrs. Bradt in the amount of \$3,000.00 inclusive of interest and costs with John Tennier contributing \$1,250.00, Stanley Baksys contributing \$500.00 and the City contributing \$1,250.00, subject to Finance Committee and City Council approval, which settlement is recommended.

11. That an amount of up to \$3,000. be made available to the Hamilton District Major League Curling Organization to assist in defraying costs associated with a bid to host the 1988 National Curling Briar in the City of Hamilton.

This amount to be financed from Account No. 8330-3012-Advertising and Promotion-Hamilton Entertainment and Convention Facilities Inc.

12. That the estimated cost of \$500. to construct a display case to house all awards and trophies associated with the Canusa Games be financed from Account No. 0378-2700-Unclassified.

**NOTE:** Section 11 (b) of the Thirteenth Report of the Legislation Committee makes reference to this matter and requests the Finance Committee to recommend the method of financing.

13. That the final invoice from Wright & McTaggart, Barristers and Solicitors for fees and disbursements relative to the City vs Hamilton Harbour Committee - Assessment Appeal in the amount of \$9,269.82 be financed by the approval of an overdraft in Account 0325-0156 - Consultants' Fees - Legal Department.

**NOTE:** This matter is referred to in Section 1 of the Second Report of the Special Harbour Committee and the Finance Committee is requested to recommend the method of financing.

14. That the Interim Board of the Hamilton Entertainment and Convention Facilities Inc. be authorized and directed to call for an open competition for the sculptor of a bust of Victor Kennedy Copps for placement in the Trade Centre/Arena; and further that the Subcommittee of the Parks and Recreation Committee established to review and make recommendations with respect to the specific sculptures to be selected for display in Harvey Park, assist and participate in the selection process.

**NOTE:** With the adoption of Section 4 (b) of the Eighth Report of the Parks and Recreation Committee, City Council at its meeting held May 28, 1985, it appointed this Special Subcommittee which comprises of representatives of the following Organizations:

Art Gallery of Hamilton  
Hamilton and Region Arts Council  
Hamilton-Wentworth Creative Arts  
Hamilton Artists Inc.

The Committee wishes to advise that the Trade Centre/Arena Management Committee recommended that a sculptor be commissioned to provide a 36" X 38" plaque/bust of Victor Copps for display in the Arena, however, the Finance Committee is of the opinion that a bust would be more appropriate than a plaque as recommended.

15. That leave be granted to introduce the following bills:

- (a) Bill No. F-30: A By-law to authorize Gore Park Area Related Improvements to the Downtown Action Plan Phase III-A.
- (b) Bill No. F-31: A By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

Alderman D. Gray, Chairman  
Finance Committee

J. J. Schatz,  
Secretary

1985 September 05  
/dg







# REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its THIRD Report for 1985 and respectfully recommends:

1. That City of Hamilton Adult Entertainment Parlour Class "H" Licence No. 1845 held by Night Moves Inc. at 543 Upper James Street be revoked as it contravenes City of Hamilton Zoning By-law No. 6593 and City of Hamilton By-law 79-144, as amended, Section 13(1)(a).

## NOTE:

For the information of members of city council, on Thursday, September 5, 1985, the City of Hamilton Licensing Committee held a show cause hearing into the status of City of Hamilton Adult Entertainment Parlour Class "H" Licence No. 1845 held by Night Moves Inc. at 543 Upper James Street. The Committee received a report from Mr. Paul Kuppe, Building Commissioner, which indicated that the zoning of the property does not permit an Adult Entertainment Parlour to operate. It was the decision of the City of Hamilton Licensing Committee that the Adult Entertainment Parlour Class "H" Licence No. 1845 be revoked.

The Committee received from Mr. Herman Turkstra, Solicitor for Night Moves Inc., a verbal proposal that his client would

- (a) consent to a 24-month suspension of the licence;
- (b) would not open an Adult Entertainment Parlour at 543 Upper James Street;
- (c) would not pursue rezoning of the property at 543 Upper James Street;
- (d) would not pursue litigation against the City of Hamilton.

The Committee requested that Mr. Turkstra forward a written copy of his client's proposal to the City Clerk, a copy of which is forwarded to the members of City Council under separate cover.

Respectfully submitted,

ALDERMAN F. A. LOMBARDO  
CHAIRMAN

S. J. Dembe, Secretary  
September 5, 1985

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## REPORT OF THE SPECIAL HARBOUR COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Special Harbour Committee presents its SECOND Report for 1985 and respectfully recommends:

1. Approval of the payment of the account of Wright & McTaggart, Barristers & Solicitors, dated August 1, 1985, in the total amount of \$9,269.82 for professional services rendered in connection with the City's action against the Hamilton Harbour Commissioners to remove their exemption concerning their liability for municipal taxes. This is their final account.

The Finance Committee to be requested to recommend the method of financing the payment of this account.

2. That the City of Burlington's request for Hamilton's reconsideration of an application to annex a portion of Hamilton Harbour be denied.

Respectfully submitted,

Alderman H. Merling, Chairman,  
Special Harbour Committee.

E. A. Simpson, Secretary,  
1985 September 6.





The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Health By-law No. 4798

Respecting:

PIGEONS

WHEREAS section 1 of The City of Hamilton Act, S.O. 1951, Chapter 103, provides that subject to the approval of the Ontario Municipal Board the Council of The Corporation of the City of Hamilton may pass by-laws,

1. for amending and revising from time to time By-law No. 4798, and
2. for regulating, in any such amending or revising of said By-law No. 4798, all matters relating to the design, erection, alteration, demolition, removal, maintenance, and use of buildings and structures and the use of land, and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons from conditions that may be or become injurious to health;

AND WHEREAS By-law No. 4798 was passed on the 29th day of September, 1936;

AND WHEREAS clause 712B(ia) of By-law No. 4798 as re-enacted by Section 3 of By-law 68-199 passed on the 27th day of June, 1968 and approved by the Ontario Municipal Board by Order dated the 30th day of September, 1968 is as follows:

- (ia) No pigeon shall be allowed to be at large in the City of Hamilton, provided that homing or roller pigeons, registered with a recognized pigeon fancier's association and so banded, may be exercised while under proper control.

AND WHEREAS it is intended to provide that pigeons may be exercised or flown only between specified hours as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause 712B(ia) of By-law No. 4798 as re-enacted by Section 3 of By-law 68-199 is amended by striking out at the end of the clause "while under proper control" and substituting in lieu thereof "or flown only during the following periods:

1. From 7:00 o'clock a.m. to 8:30 o'clock a.m.
2. One hour immediately before sunset."

2. This by-law does not come into force until approved by the Ontario Municipal Board.

PASSED this            day of            A.D. 1985.

City Clerk

Mayor

(1985) 12 R.L.C. 18, August 27

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

A MUNICIPAL QUESTION TO THE VOTE OF THE ELECTORS

WHEREAS paragraph 25 of section 208 of The Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

208. By-laws may be passed by the councils of all municipalities:

25. For submitting to the vote of the electors any municipal question not specifically authorized by law to be submitted;

AND WHEREAS the Legislation Committee at its meeting on September 3, 1985 approved the following recommendation:

That the following question be placed on the ballot at the forthcoming municipal election;...

"Are you in favour of reinstating The Board of Control in the City of Hamilton".

That the City Solicitor be authorized and directed to prepare necessary by-law for Council approval.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that the following question be submitted to the vote of the electors at the 1985 Municipal Election:

"Are you in favour of reinstating The Board of Control in the City of Hamilton.

YES \_\_\_\_\_ NO \_\_\_\_\_ "

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Authorize:

**GORE PARK AREA RELATED IMPROVEMENTS TO  
THE DOWNTOWN ACTION PLAN PHASE III-A**

**WHEREAS** the Ontario Municipal Board, by Order dated the 2nd day of August, 1985, (File No. E850718), approved,

- (a) the Gore Park Area related improvements to the Downtown Hamilton Action Plan, Phase III-A at an estimated cost of \$329,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as Gore Park Area related improvements to the Downtown Hamilton Action Plan, Phase III-A may now proceed in accordance with the Ontario Municipal Board Order dated the 2nd day of August, 1985, (File No. E850718).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 9 R.F.C. 2, May 14



BY-LAW NO. 85' -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE TENTH DAY OF SEPTEMBER  
A.D., 1985

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1985

City Clerk

Mayor





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1985

MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1985 September 24  
7:30 o'clock p.m.  
Council Chambers  
City Hall

HAMILTON PUBLIC LIBRARY

SEP 20 1985

GOVERNMENT DOCUMENTS

A G E N D A

1. Prayer.
2. Minutes of the meeting held 1985 September 10.
3. Correspondence.
4. Reports of Standing Committees - attached:
  - A Transport and Environment Committee
  - B Parks and Recreation Committee
  - C Planning and Development Committee
  - D Legislation Committee
  - E Personel Committee
  - F Finance Committee
5. Notices of Motion for next meeting.
6. First reading of the Bills
7. Second reading of Bills - Committee of the Whole
8. Third reading of Bills
9. Question period
10. Adjournment





REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SIXTEENTH Report for 1985 and respectfully recommends:

1. Approval of the awarding of the following contracts:

- (a) To supply Aluminum Traffic Poles in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Guillevin International - \$12 147.12

NOTE: Lowest of 4 tenders. Funds provided in account 0394-3323.

- (b) To supply Aluminum Traffic Poles in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Vallance Brown & Co. Ltd.. - \$14 913.66

NOTE: Lowest of 4 tenders. Funds provided in account 0394-3323.

2. That the following apartment building (which has compaction facilities) be added to the collection service provided by the City of Hamilton:

950 Fennell Ave. E. (224 Units)

3. That the Department of Public Works be directed to remove two trees on the municipal premises known as 5 Dexter Avenue, subject to the concurrence of the Hamilton Region Conservation Authority, owners of the property, and that the cost of said removal be charged to Real Estate Landscape Account 0335-0132.

4. (a) That an Option to Purchase an Easement, in favour of the Region over City lands presently forming part of Napier Street, scheduled for acceptance by the Region on September 24th and closing on October 30th, 1985, be approved.

- (b) That the Mayor and the City Clerk be authorized to execute the necessary documents, satisfactory to Yates & Yates, Solicitors for the City in this transaction.

NOTE: The said lands comprise that portion of Napier Street running westerly from Bay Street for a distance of 61.9, (203 ft. more or less), and contains an area of 10 121 sq.ft. more or less. The lands are more particularly described as parts 2 and 3 on Plan No. RA-H-311 Surveys. The purchase price is \$1.00; the proceeds of which will be credited to Account No. 0280-237.

The Option to Purchase is subject to approval by the City of a By-law to close, stop up and sell equal portions of the said lands to the abutting owners.

5. (a) That an Offer to Purchase by 587386 Ontario Limited, abutting owners to the southerly half of a portion of Napier Street running westerly from Bay Street for a distance of 61.9m (203 ft. more or less), scheduled for acceptance by the City on October 1st, 1985, and closing on October 30th, 1985, be accepted.
- (b) That the Mayor and the City Clerk be authorized to execute the necessary documents, satisfactory to Yates & Yates, Solicitors for the City, in this transaction, with respect to the sale of the said Part 2, to 587386 Ontario Limited, being the southerly half of the proposed closure; and subsequently Part 1 of the said Plan, being the northerly half to the prospective owners of Block 101 abutting thereto.

NOTE: The said lands comprise an area of  $470.8\text{m}^2$  (5 066 sq.ft. more or less), and are more particularly described as Part 2 on a portion of Plan No. RA-H-311 Surveys.

The purchase price is \$45 594, the proceeds of which will be credited to Account No. 0280-27. Staff has received and deposited with the City Treasury, a certified cheque for 10% of the purchase price.

Acceptance of Offers to Purchase of Parts 1 and 2 are subject to the approval by the City of a By-law to close, stop up, and sell equal portions of the said lands to the abutting owners.

6. (a) That approval be given for the purchase of lands required to establish roadways in Randall Estates (Phase 4 Proposed) for the amount of \$2.00 from Canada Permanent, Robert Shelley Construction Ltd., Frank Husack Limited and DiCenzo Construction Ltd.
- (b) That upon closing, the City Solicitor and Director of Transportation Services be authorized and directed to take the necessary action to pass a by-law to open up the subject parcels of land as public highways.

NOTE: The document was executed on September 5, 1985 and is scheduled to close on November 19, 1985.

Acquisition of these parcels will extend Rexford Drive to the south and establish Robertfield Drive.

7. That the Director of Real Estate be authorized to retain an independent fee appraiser to prepare an estimate of market value suitable for service pursuant to the Expropriations Act for the property now in the process of being expropriated by the City for the extension of Kingsberry Street.
8. That approval be given for the sale of surplus land having a frontage along the southerly limit of Alma Avenue of 37.7 feet (11.491m) more or less, containing 5 932.40 square feet (551.12 square metres) to Victor and Lillian Snyder for the total amount of \$3 000.

NOTE: The Offer to Purchase was executed on September 9, 1985 and is scheduled to close on November 5, 1985. A certified deposit cheque in the amount of \$300 is being held by the City Treasurer, pending approval of this transaction. Proceeds of this sale are to be credited to Account No. 0280-02.

It is understood and agreed by the purchaser that the City will establish a 1 ft. reserve along the easterly boundary of the property shown as Part 3, and also along the southerly limit of Alma Avenue adjacent to the northerly limit of Part 2, in order to recover the cost of City and Regional services to establish Eva Street and Alma Street. No access to said streets will be provided until the purchaser acquires the 1 ft. reserve. The acquisition costs of the 1 ft. reserve will represent the cost of services as stated above.



9. That the application by Lorne Richter (Budget Rent-A-Car) to lease a portion of the boulevard of Spring Street adjacent to 210 Main Street East, be approved provided that:

- (a) the applicant pay the annual fee in accordance with the fee structure approved by City Council on 1984 March 13 (current rate is \$2.69 per square metre), plus taxes, if any, in addition to the \$10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.
- (b) the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
- (c) the approach, parking area and other structures as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
- (d) the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

10. That the application by 526574 Ontario Inc. (A. & B. Laundromat) to lease a portion of the boulevard of Mulberry Street adjacent to 193 James Street North, be approved provided that:

- (a) the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1984 March 13 (current rate is \$2.69 per square metre), plus taxes, if any, in addition to the \$10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.
- (b) the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
- (c) the approach, parking area and other structures as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
- (d) the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.



11. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday," regulation on the east side of Bellwood Avenue, commencing a point 35 feet north of Concession Street and extending to a point 46 feet northerly therefrom be shortened, such that the regulation commences at a point 42 feet north of Concession Street and extends to a point 40 feet northerly therefrom; and  
  
(b) That stopping be prohibited on the east side of Bellwood Avenue between Concession Street and a point 42 feet northerly therefrom.
12. That a parking prohibition be implemented on the east and north sides of Guildwood Drive, commencing at a point 109 feet north of Gilcrest Drive and extending to a point 103 feet northwesterly therefrom.
13. That stopping be prohibited on the east side of Locke Street North between Morden Street and a point 31 feet southerly therefrom.
14. That stopping be prohibited on the east side of John Street North between Picton Street East and a point 68 feet southerly therefrom.
15. That the Director of Traffic Services be authorized to issue one time limit exemption permit to Mr. E. LeBlanc, 804-136 Bay Street South.
16. That a "30 Minute Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Tom Street, commencing at a point 39 feet east of Dundurn Street North and extending to a point 24 feet easterly therefrom.
17. That the application of Mr. R. Rucker, on behalf of the owner of 1033 King Street West, Gene Ditner, to install and retain an encroachment on the road allowance consisting of a proposed roof fascia structure 0.32m (1.04') by 7.62m (25.0') and 5.27m (17.3') above the sidewalk, be approved during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

18. That the application of Dofasco Inc. to install the following proposed encroachments on the road allowance of:

- 1. Beach Road, proposed overhead steam line structure pipe bridge 2.7m (9.0') wide by 4.87m (16.0') high by 47.85m (157.0') long, 7.92m (26.0') above the road allowance
- 2. Dofasco Avenue, proposed overhead steam line structure pipe bridge, 2.74m (9.0') wide by 3.81m (12.5') high by 20.11m (66.0') long, 7.92m (26.0') above the road.
- 3. Dofasco Avenue, west of Kenilworth Avenue:
  - i. concrete tower footing 0.6m (2.0') by 2.7m (9.0')
  - ii. concrete bent footing 0.35m (1.16') by 0.91m (3.0')
  - iii. concrete bent footing 0.24m (0.80') by 0.91m (3.0')
  - iv. concrete tower footing 0.21m (0.72') by 2.7m (9.0')

be approved during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$481.61 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

19. That the application of Mr. M. Rubenstein, on behalf of the owner of 139 Campbell Avenue, Angela Catherine Whalen, to retain an inadvertent encroachment on the road allowance of Edgar Avenue, consisting of a 2 storey frame building 0.1m by 2.6m be approved during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

20. That the application of Mr. B. McCluskey, on behalf of the owner of 19 East 31st Street, Donna Scott, to retain an inadvertent encroachment on the road allowance consisting of concrete steps, 1.17m by 1.17m be approved during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

21. That the application of Mr. T. Winchie, Q.C., on behalf of the owner of 277 Robert Street, Denise Jordan, to retain the following inadvertent encroachments on the road allowance:

- 1. a porch 0.09m (0.29') by 2.4m (7.87')
- 2. wooden stairs 1.4m (4.6') by 1.2m (3.94')
- 3. bay window 0.08m (0.26') by 1.07m (3.51')

be approved, during the pleasure of Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

22. That the application of Mr. F. Rocchi, on behalf of the owner(s) of 31 Ruth Street, Philip and Pauline DiFilipo, to retain the following inadvertent encroachments on the road allowance:

- 1. a porch 1.6m (5.2') by 2.44m (8.0')
- 2. a two storey brick building 0.41m (1.3') by 7.53m (24.7')
- 3. a brick garage 0.92m (3.0') by 6.02m (19.7)'

be approved during the pleasure of Council, provided:



- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
23. That the application of Mr. P. Mazza, on behalf of the owner(s) of 975, 981 and 983 Barton Street East, 280643 Ontario Incorporated, to retain an inadvertent encroachment on the road allowance of Lincoln Street consisting of a two storey brick building, 0.11m (0.35') by 4.6m (15.0'), be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
24. That the application of Mr. A. Stonkus, on behalf of the owner(s) of 82 Forest Avenue, John and Ilona Stanaitis and Linas Stankevicius, to retain an inadvertent encroachment on the road allowance consisting of a porch 0.6m (2.17') by 2.1m (7.0'), be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
25. (a) That the request of Mr. J. R. Elder, owner of 61 Vine Street, to discharge the encroachment agreement for this address, Instrument No. 226587 C.D. registered on June 30, 1982, be approved subject to the satisfaction of the City Solicitor,
- (b) That the appropriate civic official be authorized to execute the documents in relation to this discharge.



26. That the action of the Commissioner of Transportation, in authorizing the application of the United Way Campaign to erect a banner over Main Street West which reads "United Way, The Way for All" in front of City Hall from:
- i. Monday, September 9, 1985 to Monday, September 16, 1985, and from
  - ii. Monday, November 18, 1985 to Monday, November 25, 1985
- be confirmed, recognizing the following conditions are the responsibility of the organizing group:
- (a) That all applicants pay a \$100 installation fee for each installation; and
  - (b) That the applicants indemnify and save the City of Hamilton and the Region of Hamilton-Wentworth harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss; and
  - (c) That the applicant produce proof of public liability and property damage insurance of at least \$1 000 000, naming the City of Hamilton and the Region as added insured parties and have it filed with the Commissioner of Transportation; and
  - (d) That the design and construction of the banner conform to the standards established by the Commissioner of Transportation and the Department of Public Works.
27. (a) That the engineering schedules for the estimated cost of services in "Randall Estates - Phase 4", approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the City's share for the cost of services for this development (\$102 978) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Curbs and Sidewalks	\$21 889
Final Roadways	64 431
Catch Basins and Connections	5 837
Seeding	4 830
Street Lighting	<u>6 000</u>
TOTAL	\$102 978

- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (d) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 3(a)(xii) of the Twenty-Second Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1985 July 30, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owners are Robert Shelley Construction Limited, Frank Husack Limited, DiCenzo Construction Company Limited and Canada Permanent Trust Company.

- 28. (a) That the City Solicitor be directed to proceed with the preparation of a by-law to extend and widen Guildwood Drive south of Gosford Drive; and
  - (b) That this by-law not be enacted until the adjacent plan of subdivision, Paradise Green, is registered.
- 
- 29. (a) That the Traffic Department be directed to review the traffic signs in the vicinity of the intersection of Limeridge Road and Kingfisher Drive and take action to upgrade the signs where necessary; and
  - (b) That the necessary by-law be prepared by the City Solicitor and the City Clerk be authorized and directed to advertise this by-law as required by Section 301 of the Municipal Act, outlining the City's intention to proceed with the altering of the intersection of Limeridge Road and Kingfisher Drive; and
  - (c) That the Department of Public Works be authorized to undertake these works, once all of the necessary approvals have been received; and
  - (d) That the cost to undertake these works, approximately \$35 000, be charged to Account Number 0404-25111 - Reconstruction of Cannon Street to Kenilworth Avenue.

30. (a) That the construction of a concrete alley in the block bounded by Britannia Avenue, Paling Avenue, South Limit of Water Works Pipeline and Strathearne Avenue be proceeded with; and
- (b) That the City Solicitor be directed to make application for approval under Section 64 of The Ontario Municipal Board Act; and
- (c) That the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton, and
- (d) That the Finance Committee recommend the method of financing.

NOTE: The proposed works consist of a 3.66m wide concrete alley in the block bounded by Britannia and Paling Avenues, south limit of the Water Works Pipeline and Strathearne Avenue (Project No. 801-51H).

Total Estimated Cost	\$52 200.00
Owner's Share	\$23 462.40
City's Share	\$28 737.60

Estimated Subsidy - Nil  
Reduction under Section 28 of the Act - Nil  
Estimated Cost Per Metre - \$47

31. (a) That the City Solicitor be authorized to make an application to a County Court Judge under Section 82 of the Registry Act R.S.O. 1980 for an order closing the "North - South Alley from Fennell Avenue East to Bruce Dale Avenue East, between East 25th Street and East 26th Street; and
- (b) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owners under Section 57 of the Surveys Act, R.S.O. 1980; and
- (c) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the alley to be closed; and
- (d) That documentation regarding the application to the County Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in County Court; and



- (e) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor; and
- (f) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth, for approval of the proposed closing pursuant to Section 48 of the Regional Act.

32. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale of a triangular portion of road allowance measuring 12.19m (40') by 6.09m (20'), abutting 24 Ravenscliffe Avenue, pursuant to Section 298 of the Municipal Act R.S.O. 1980; and

(b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980 of City Council's intention to pass the By-law; and

(c) That the applicant prepare and register a reference plan under the Registry Act, the plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that the applicant deposit a reproducible copy of the plan with the Regional Surveyor; and

(d) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.

33. That leave be granted to introduce the following bills:

- (a) A-43 By-law respecting the construction of local improvements on a concrete alley in the block bounded by Campbell Avenue, Rosslyn Avenue, Cannon Street and Kensington Avenue
- (b) A-44 By-law respecting the construction of local improvements as follows:
  - 1. Finished Roadway on Grace Avenue, from Brighton Avenue to Burgess Avenue
  - 2. Concrete Alley between Smith Avenue and Leeming Street, running from Barton Street to south limit of 94 Smith Avenue



3. Concrete Alley in the block bounded by  
Cumberland, Cedar, Afton and Balsam Avenues

- (c) A-45 By-law to extend Ravenbury Drive by incorporating  
therein a portion of Block "CX", Plan M-200
- (d) A-46 By-law to extend Ravenbury Drive by incorporating  
therein Block "A", Plan M-283
- (e) A-47 By-law to extend Regent Street, by incorporating  
therein part of Parcel "E", Plan Number 921
- (f) A-48 By-law to amend By-law 66-100 to regulate  
traffic
- (g) A-49 By-law to amend By-law 66-100 to regulate  
traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse, Secretary

1985 September 16









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its EIGHTEENTH Report for 1985 and respectfully recommends:

1. That, Mr. W. R. Sinclair of Dundurn Construction Company Limited, be permitted to erect a 3' fence along the ravine area of the Strawberry Hills Subdivision, rather than the standard 5' fence.
2. That the following Terms of Reference for the Parks and Recreation Citizens' Advisory Committee developed from the Master Plan recommendations, and reviewed by the existing Leisure Services Advisory Committee, be approved:
  - A. The Committee will be comprised of (9) nine citizen members and (2) two elected members of City Council. The Chairperson will be a citizen member elected by the Citizens' Advisory Committee. The Chairperson or nominee will attend all regular and special meetings of the Parks and Recreation Committee.

### Terms of Reference

- i. Oversee the implementation schedule of the Culture and Recreation Master Plan;
- ii. Monitor the short and long term goals and objectives of the Department of Culture and Recreation;
- iii. Assist in the identification of community trends and issues;
- iv. Assist in the two-way communications from the Department to the community-at-large;
- v. Recommend park names;
- vi. Recommend innovative programs and new special events promoting Hamilton;

vii. Act as a resource for the various ages and interests being served by leisure parks, recreation, cultural services in the City of Hamilton, and provide recommendations to the Parks and Recreation Committee on matters related to: the Arts; Amateur Sports and Recreation; Heritage and Ethnic Populations; Special Populations and Interest Groups; conservation and open space development; communications and marketing; special event programming.

B. That the following criteria be considered in determining the Composition of the Parks and Recreation Citizens' Advisory Committee, and so advertised prior to the selection process:

- i. Sports - background and experience in various sports
- ii. Arts - background in multi-art disciplines and current development
- iii. Heritage - experience in Historical issues and Ethnic mosaic
- iv. Special Populations - working knowledge of special population groups and accessibility
- v. Conservationist/Horticulturist - background in open space conservation and development principles
- vi. Communication - experience in marketing skills and committee communication

NOTE: Committee positions would be advertised with consideration being given to the selection reflecting the (6) six set areas listed, and/or, a member-at-large with a wide general knowledge in the Culture and Recreation field.

3. That an Option to Purchase Easement requested by the Regional Municipality of Hamilton-Wentworth over City owned lands, in the area of Bow Valley Drive and the Stoney Creek Valley, be accepted by the City, and that the Mayor and the City Clerk be authorized to execute the agreement in a form satisfactory to the City's Solicitor.

NOTE: The easement is required, for an underground watermain and comprises an area of 2 308.8m<sup>2</sup> (0.571 acres more or less). It was understood that construction of the watermain would be undertaken within a 20' wide strip within the 20.117m (66') wide easement with minimal disturbance of the trees and surrounding environment. The transaction has a scheduled closing date of November 7th, 1985 and is for the purchase price of \$856.

4. (a) That the City reimburse the owner of 64 Leclaire Crescent, 50% of the cost of a 4' chain link fence, in connection with the June 1985 erection of a fence between the property at 64 Leclaire Crescent and City owned land known as Lionsgate Park; and
- (b) That the owner, Mr. Lazlo, be advised that the City would not share in any future costs related to repair or maintenance.

NOTE: Mr. Lazlo was advised that the City would cost share the construction of a 4' chain link fence at the rear of his property line. Mr. Lazlo chose to construct a fence of inferior specifications contrary to the advise of the City and the contractor, Mr. Caron, of Caron Fences Limited.

Section 7 of the City of Hamilton fence policy states that the maintenance of the standard 4' chain link fence should be shared on a 50-50 basis between the City and the abutting property owner and that in the case where a different type of fence is installed, the person who installed such a fence shall assume the total cost of maintenance.

5. (a) That effective 1985 October 1, the rental rates for large kits at the Children's Museum be increased from \$5 to \$10 per week; and
  - (b) That refundable deposit required on all kits be increased from \$5 to \$10.
6. That the City of Hamilton enter into an agreement with the Ontario Heritage Foundation for a grant of up to \$5 000 for a feasibility study for the Landscape restoration of Dundurn Castle.



NOTE: Through the Ontario Heritage Foundation a grant of up to \$5 000 is available for a feasibility study for landscape restoration of Dundurn Castle. It is estimated that such a study would cost approximately \$7 500, based on a maximum contribution of \$5 000 from the Foundation, the remaining funds (\$2 500) for the consultants fees are available within the City Architects Department Budget Account No. 0333-0156.

7. Approval of the awarding of the following contracts:

(a) G. C. DUKE EQUIPMENT, Burlington, Ontario

Supply and delivery of one Diesel Industrial Rotary Mower to the Public Works Department, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of ..... \$17 387.50

NOTE: Only tender to meet specifications. Funds provided for in account 0364 7575.

(b) TURF CARE PRODUCTS LTD., Markham, Ontario

Supply and delivery of One (1) Toro Rake-O-Vac, Model #07073, complete in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of ..... \$19 928.75

NOTE: Only tender received. Funds provided in account 0364-0575.

RESPECTFULLY SUBMITTED,

ALDERMAN B. HINKLEY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

R. C. Prowse, Acting Secretary

1985 September 12







## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its Twenty-Fifth Report for 1985 and respectfully recommends:

1. (A) That approval be given to Application SA-85-05, Arosa Properties Limited, owner, to establish a draft plan of subdivision to the south of Stone Church Road West, west of Upper Paradise Road, subject to the following conditions.
  1. That this approval apply to the plan prepared by Corad Planning Corporation revised and dated August 1985, further revised by deleting Lots 30 to 50 and inclusive, the road abutting lots 38 to 50, the block indicated for future development.
  2. That the road allowances be dedicated as public highways on the final plan.
  3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  4. That the final plan conform with the zoning by-law approved under The Planning Act.
  5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
  8. That the dead-end of the road allowance created by the plan be terminated and in a 0.3 m reserve to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.

9. That the owner satisfy the requirements of Ontario Hydro in regard to alteration or relocation of the existing Hydro facility.
10. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
11. That the Falkirk West Neighbourhood Plan be amended accordingly.
12. That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-05), Arosa Properties Limited, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

(B) That Zoning Application ZA-85-26 by Arosa Properties, Limited, owner, requesting a change in zoning to facilitate a draft plan of subdivision for single-family dwellings on property located in the area south of Stone Church Road West and west of Upper Paradise Road, as shown on the attached plan marked as Appendix "A" be denied in part for the following reason:

- i) Regional Council on June 18, 1985 in Item 29 of the Engineering Services Committee Report decided not to support temporary servicing schemes for Lots 14-52 inclusive of the revised proposed plan. These lots cannot be serviced for many years and therefore the zoning proposed for the lands described as Block "1" on the attached Appendix "A" would be premature.

(C) That approval be given to an Amended Zoning Application 85-26, Arosa Properties Limited, owner, to establish the following changes in zoning for property located in the area south of Stone Church Road West and west of Upper Paradise Road, as shown on the attached plan marked as Appendix "A" on the following basis:

- i) That the lands described as Block "1" be rezoned for "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;



- ii) That the lands described as Block "2" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "C" (Urban Protected Residential, etc.) District;
- iii) That the lands described as Block "3" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small lot Single-Family Detached) District;
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-Law No. 6593 and Zoning District Maps W-37C and
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**EXPLANATORY NOTE:**

The purpose of the By-Law is to provide for the following changes in zoning for property located in the area south of Stone Church Road West and west of Upper Paradise Road:

Block "1" from "AA" (Agricultural) District to "C" (Urban Protected Residential etc.) District;

Block "2" - from "R-4" (Small Lot Single-Family Detached) District to "C" (Urban Protected Residential etc.) District;

Block "3" - from "C" (Urban Protected Residential etc.) District to "R-4" (Small Lot Single-Family Detached) District.

The effect of the by-law is to permit single-family and "small lot" single-family development. The lands are the subject of a draft plan of subdivision (File No. SA-85-05), and the approval of the By-Law will be a condition which has to be completed before final approval may be granted to the subdivision.

- 2. (A) That approval be given to Amended Zoning Application ZA-85-34 by Medit Management, owner, requesting a modification to the established "AA" (Agricultural) District regulations for property located to the rear of No. 1209 Upper James Street, as shown on the attached plan marked as APPENDIX "B", on the following basis:
  - i) That the "AA" (Agricultural) District provisions of By-Law No. 6593 be modified in accordance with Section 38 of The Planning Act,

R.S.O. 1983, to permit the temporary use of these lands for parking of automobiles for a three year period.

- ii) That the amending by-law be added to Section 19B of Zoning By-Law No. 6593 as Schedule S-933 and that the subject land on Zoning District Map E-9B be notated S-933;
- iii) That the City Solicitor be directed to prepare a by-law to amend the Zoning By-Law No. 6593 and Zoning District Map E9B;
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

B. That By-law No. 79-275 be amended to place the subject land under Site Plan Control

#### EXPLANATORY NOTE

The purpose of the By-law is to provide for a modification to the "AA" (Agricultural) District provisions applicable to the lands located at the rear of No. 1209 Upper James Street, as shown on the attached key map. The effect of the By-law is to permit the temporary use of the lands for parking of automobiles for a period of three years, in conjunction with a new Volkswagen dealership to be built on the front portion of the property.

- 3. (A) That approval be given to Zoning Application 85-58 by Young-Winfield Canada Limited, prospective owner, for a modification to the established "H" (Community Shopping and Commercial, etc.) District provisions applicable to the property located at No. 121 Hughson Street North as shown on the attached plan marked as APPENDIX "C" on the following basis:
  - i) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of By-law No. 6593, applicable to the subject property be modified to include the following variance as a special requirement:
    - a) That notwithstanding Section 14.(1) of Zoning By-law No. 6593, the milling, packaging, wholesaling, retailing and storage of spices shall be permitted in the existing building, only;

- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-934, and that the subject lands on Zoning District Map E-4 be notated S-934;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

#### EXPLANATORY NOTE

The purpose of the by-law is to provide for a modification to the established "H" (Community Shopping and Commercial, etc.,) District regulations for property located at No. 121 Hughson Street North, as shown on the attached plan marked as APPENDIX "C".

The effect of the By-law is to permit the milling, packaging, wholesaling, retailing and storage of spices in the existing building, only;

- 4. That Zoning Application 85-59, Dora Biello and Anita Tofano, owners, requesting a change in zoning from "G" (Neighbourhood Shopping Centre) District to "DE-3" (Multiple Dwellings) District, for property located at No. 120 San Antonio Drive, be denied for the following reason:

The proposed development would be out of character with the established "Low Density" Family Residential Development in the surrounding area.

- 5. (A) That Approval be given to Zoning Application 85-60 by Mor Car Wash Limited, owner, for a modification to the established "H" (Community Shopping and Commercial, etc.) District provisions for property located at Nos. 432 to 440 Main Street West, as shown on the attached plan marked as APPENDIX "D", on the following basis:

- i) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of By-law No. 6593, applicable to the subject property be modified to include the following variance as a special requirement:

- a) That notwithstanding the provisions of Section 14.(1) of By-law No. 6593, a coin-operated manual car wash having not more than 6 bays or stalls shall be permitted.



- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-935, and that the subject lands on Zoning District Map W-12 be notated S-935;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-12;
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- v) That the Strathcona Neighbourhood Plan be amended by changing the designation on the subject lands from "Medium Density Apartments" to "Commercial".

B. That By-law 79-275 be amended to establish Site Plan Control on the subject lands.

#### EXPLANATORY NOTE

The purpose of the By-law is to modify the established "H" (Community Shopping and Commercial, etc.) District for property located at Nos. 432 to 440 Main Street West as shown on the attached key map.

The effect of the By-law is to permit a coin operated manual car wash having not more than six bays or stalls in conjunction with the existing drive through car wash. in addition, the subject lands have been made subject to Site Plan approval.

- 6. (A) That approval be given to Zoning Application 85-64, Sutter Hill Developments Ltd., owner, to establish a change in zoning from "AA" (Agricultura) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, for property located at No. 986 Upper Wentworth Street, as shown on the attached plan marked as Appendix "E", on the following basis:
  - i) That the subject lands be rezoned from "A" (Agricultural) District ot "HH" (Restricted Community Shopping and Commercial, etc.) District;
  - ii) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations as contained in Section 14A of By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:



(a) The notwithstanding Section 14A(1) of the following uses shall be prohibited:

1. Public uses referred to in clause (viii) of subsection 11.(1) of By-Law No. 6593;
2. Commercial uses referred to in clause (vii) of subsection 13(1); "an Auctioneer's premises" as contained in clause (xiv) of subsection 14(1); clauses (ca and cb) of subsection 14A(1) of By-Law No. 6593.

- iii) That the amending By-Law be added to Section 19B of Zoning By-Law No. 6593 as Schedule S-936 and that the subject lands on Zoning District Map E-18A be notated S-936;
- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-Law No. 6593 and Zoning District Map E-18A.
- v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 31.

#### EXPLANATORY NOTE

The purpose of the By-Law is to provide for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for property located at No. 986 Upper Wentworth Street, as shown on the attached map marked as APPENDIX "E".

The effect of the By-Law is to permit future commercial development on the subject lands in conjunction with the lands to the south. In addition, the By-Law provides for a modification to the "HH" (Restricted Community Shopping and Commercial) District regulations to prohibit the following uses:

#### Public Uses

1. a private club, lodge, fraternity, or sorority house or labour union hall, which may include sleeping accommodation for not more than twenty persons.

#### Commercial Uses

1. a restaurant or refreshment room;
2. an auctioneer's premises;

3. a tavern;
4. a billiard room, bowling alley, shooting gallery, penny arcade, public hall, music hall, theatre or other place of amusement.
7. (A) That approval be given to Zoning Application 85-61, Dominic De Rosa, owner, requesting a further modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District regulations applicable to property located at No. 549 Wilson Street and Nos. 79 and 81 Sanford Avenue North, as shown on the attached map marked as APPENDIX "F", on the following basis:
  - i) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, etc) District regulations as contained in Section 10 of By-law No. 6593, applicable to the subject lands, as amended by By-law No. 79-271, be amended as follows:
    1. That notwithstanding Section 10.(1) of By-law No. 6593 a bakery, including an accessory restaurant having a maximum seating capacity of 12 persons, shall be permitted;
    2. That notwithstanding Section 10 (3)(i) of By-law No. 6593, a minimum front yard of 3.0 m shall be provided.
    3. That notwithstanding Section 10.(3)(ii) of By-law No. 6593, a minimum southerly side yard of 0.10 m shall be provided;
    4. That a closed board fence be provided and maintained on the property not less than 1.2 m nor more than 2.0 m in height along with the westerly property line and along the rear 8.50 m (28 ft) of the northerly property line of No. 81 Sanford Avenue North.
    5. That outside storage be prohibited; and,
    6. That one window sign or wall sign of an area not more than 2.5 m<sup>2</sup> shall be permitted, provided that no such sign shall be illuminated otherwise than by non-flashing indirect lighting.

7. That alterations of the exterior of the portion of the building known municipally as 81 Sanford Avenue North is prohibited.
  - ii) That the "Parking and Loading Requirements" as contained in Section 18A of By-law No. 6593, applicable to subject lands, be modified to include the following variance:
    1. Notwithstanding Section 18A.(9) of By-law No.6593, part of the required parking spaces, and the manoeuvring spaces shall be permitted off the lot on which the principle use, building or structure is located.
  - iii) That the Amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-671a, and that the subject lands on Zoning District Map E-22 be notated S-671a;
  - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-22;
  - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
  - vi) That the Gibson Neighbourhood Plan be amended by redesignating the subject lands from "Single, Double and Attached Housing" to "Commercial";
  - vii) That By-law No. 79-271 be repealed.
- (B) That By-Law No. 79-275 be amended to establish Site Plan Control on the subject lands.

#### EXPLANATORY NOTE

The purpose of the By-law is to provide for a further modification to the established "D" (Urban Protected Residential - One and two-Family Dwellings, etc.) District regulations for property located at No. 549 Wilson Street and Nos. 79 and 81 Sanford Avenue North, as shown on the attached map marked as APPENDIX "F".

The effect of the by-law is to permit, in addition to the existing bakery and residence, an accessory restaurant use (lunch counter) having a maximum seating capacity of 12 persons.

In addition, the by-law provides for the following variances to the "D" District regulations:



- o to permit a minimum front yard set back of 3.0 m from Sanford Avenue North as opposed to the required 6.0 m;
- o to permit a minimum southerly side yard set back of 0.13 m from Wilson Street as opposed to the required 1.2 m.
- o to require a closed board fence not less than 1.2 m nor more than 2.0 m in height along the westerly property line and along the rear 8.53 m of the northerly property line of No. 81 Sanford Avenue North;
- o to prohibit outside storage;
- o to prohibit alteration of the exterior of the portion of the building known municipally as 81 Sanford Avenue North;
- o to permit part of the required parking spaces, and the manoeuvring space to be located off the lot on which the principle use, building or structure is located; and,
- o to permit one window sign or wall sign having an area of not more than 2.5 m<sup>2</sup> (26.91 sq. ft.) in area, which shall be illuminated otherwise than by non-flashing indirect lighting.

8. (A) That approval be given to City Initiative 85-H, to establish the following changes in zoning for property located within the Stoney Creek ravine in the area generally bounded by Barton Street East on the north, the City Limits on the south, Bow Valley Drive on the east and Lake Avenue North on the west, shown as Block "1", "2", "3", "4", "5" and "6" on the attached map marked at APPENDIX "G", on the following basis:

- i) That the lands shown as Blocks "1" and "2" be rezoned from "AA" (Agricultural District to "A" (Conservation, Open Space, Park and Recreation) District;
- ii) That the lands shown as Block "3" be rezoned from "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District;
- iii) That the lands shown as Block "4" be rezoned from "L-pn" (Planned Development - Public and Institutional) District to "A" (Conservation, Open Space, Park and Recreation) District;



- iv) That the lands shown as Blocks "5" and "6" be rezoned from "JJ" (Restricted Light Industrial) District to "A" (Open Space, Park and Recreation) District;
- v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-113, E-114, E-115, E-123, E-124 and E-125;
- vi) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

#### EXPLANATORY NOTE

The purpose of the By-Law is to provide for changes in zoning for lands located in the Stoney Creek ravine generally bounded on the north by Barton Street East, on the south by the City Limits, on the east side by Bow Valley Drive and on the west by Lake Avenue North, as shown on the attached plan marked as APPENDIX "G", on the following basis:

- Blocks 1 and 2      Change from "AA" (Agricultural District to "A" and (Conservation, Open Space, Park and Recreation) District;
- Block 3      Change from "C" (Urban Protected Residential, etc.) District to "A" (Conservation Open Space, Park and Recreation) District;
- Block 4      Change from "L-pn" (Planned Development - Public and Institutional District to "A" (Conservation, Open Space, Park and Recreation District;
- Blocks 5 and 6      Change from "JJ" (Restricted Light Industrial) District to "A" (Conservation, Open Spaces, Park and Recreation) District.

The effect of the By-law is to rezone the subject lands for public open space, parks and recreational purposes.

- 9. (a) That the City Solicitor be directed to prepare an "Interim Control By-Law" pursuant to Section 37 of the Planning Act, to define and prohibit Class "H" Adult Entertainment Parlours within the City of Hamilton for a period of one (1) year.
- (b) That the Planning and Development Department, in conjunction with the City Solicitor's Office and the City Clerk's (Licensing) Department, undertake a review of the locational requirements for Class "H" Adult Entertainment Parlours in the City of Hamilton.

10. (A) That the draft approval of plan of subdivision "Rexford Survey" March 5, 1978 and its amendment thereto of May 6, 1980 be withdrawn.
- (B) That the proposed revision to draft plan of subdivision "Rexford Survey", in the City of Hamilton, under Regional File No. 25T-77035 be approved subject to the following conditions:
1. That this approval apply to the plan prepared by A. J. Clarke and Associates, dated June 6, 1985 showing 12 lots, three blocks to be developed in conjunction with abutting lands and three blocks for 0.3 m reserves.
  2. That the road allowances be dedicated as public highways on the final plan.
  3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  4. That the proposed subdivision conform with the zoning by-law approved under The Planning Act.
  5. That the owner convey land in the amount of 5% of the lands included in the plan, to the City of Hamilton for park purposes, pursuant to the provisions of The Planning Act, said area to be included within Block "13".
  6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  8. That the dead-ends and open side, of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  9. That Blocks 13 to 15 inclusive, be developed only in conjunction with abutting lands.
  10. That the owner comply with the "development standards to control the effects of freeway noise" as adopted by the City of Hamilton, for all affected properties within the plan.

11. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton

- (c) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval as established by the Hamilton-Wentworth Region with respect to this application (SA-77-23), 465624 Ontario Limited, C/o F. Vandergelde, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

11. That the City Solicitor be instructed to prepare a by-law of intent to study the St. Clair Avenue area as shown on the attached Plan marked as APPENDIX "H" as prescribed under the Ontario Heritage Act.

EXPLANATORY NOTE

The report recommends the implementation of a legal requirement of the Ontario Heritage Act to advance the St. Clair Heritage District study.

12. (a) That the City further postpone the Ontario Municipal Board (OMB) hearing on the zoning to implement the Normanhurst Neighbourhood Plan until an Appeal to the Ontario Cabinet is resolved respecting the Keith Zoning By-laws and Official Plan Amendment; and
- (b) That the City Solicitor advise the OMB of the City's decision to postpone the hearing.

EXPLANATORY NOTE

Although the Neighbourhood Plan process has identified strong planning grounds for proceeding with the Normanhurst industrial rezonings, Council's resolution not to appeal the Keith OMB decision indicates that the City may wish to delay the Normanhurst OMB hearing until such time as the Ontario Cabinet has resolved the Keith By-laws.

13. (a) That a Heritage Conservation District Study and Plan proceed for the MacNab/Bold area as shown on the attached plan marked as APPENDIX "I".
- (b) That City Solicitor be instructed to prepare a by-law of intent to study the MacNab/Bold area, as prescribed under the Ontario Heritage Act.



## EXPLANATORY NOTE

LACAC recommends a heritage study for the MacNab/Bold area as a result of the significance and importance of the buildings and requests from property owners in the area. The study could be done this fall by existing staff.

### 14. DEMOLITION PERMITS

That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and The Planning and Development Committee.

- a) 206 West 2nd Street
- b) 85 Royal Avenue
- c) 665 Fennell Avenue East
- d) 394 Birch Avenue
- e) 396 Birch Avenue
- f) 398 Birch Avenue
- g) 20 Gerrard Street
- h) 534 Upper James Street

### 15. That permission be granted to the Sheraton Hotel to hang a banner announcing the opening of the hotel on the east side of the King Street pedestrian bridge, for a period not to exceed three weeks, provided that

- a) the cost of installation and removal, estimated at \$200. be paid by the Sheraton Hotel.
- b) That the applicants indemnify and save the City of Hamilton and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- c) That the applicants produce proof of public liability and property damage insurance of at least \$1,000,000.00, naming the City of Hamilton and the Region as added insured parties and have it filed with the Clerk.

### 16. That an Offer to Purchase the lands of the Corporation of the City of Hamilton, duly executed on September 3rd, 1985 by the Purchaser Brick Warehouse Ltd. and scheduled for closing on or before January 31st, 1986 subject to the Purchaser obtaining the necessary zoning change and Building Permits to permit its development of the subject lands, be completed.



The property is composed of a parcel of land located on the western limit of Centennial Parkway North having a frontage of approximately 574 feet, more or less, by a depth of 227 feet, more or less, and containing an area of 2.5 acres, more or less, more particularly described as part of Part 16, Plan 62R-6188 and part of Part 15, Plan 62R-6932.

The purchase price is \$187,500.00. A deposit cheque in the amount of \$10,000.00 is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% real estate commission to Fengate Real Estate Ltd., whose agent, Mr. L. Serafini, acted in this matter.

In addition, this Offer to Purchase is conditional upon,

- a) the Purchaser at its own expense doing a feasibility study to determine the suitability of this site for their operation, and
- b) locating a construction firm that the Purchaser will be satisfied with.
- c) this Agreement may be assigned by the Purchaser and the Purchaser has the right to direct the Owner to convey the land to the Purchaser in trust, or to the Purchaser and another or to a new third party, provided that any such assignment or direction shall not release the Purchaser from its obligation to pay the purchase price for the Property on the closing of this transaction; provided that the purchase price of the property remains at \$187,500.00 if the subject lands are conveyed to a third party.

Failing the satisfaction of these conditions, this Offer shall be null and void and the deposit shall be returned to the Purchaser without interest or deduction. The conditions are for the benefit of the Purchaser and may be waived by the Purchaser at any time prior to closing.

This transaction includes special building covenants, agreements and restrictions which are set out on the attached pages marked as Appendix "J".

17. That an Offer to Purchase the lands of the Corporation of the City of Hamilton duly executed on August 22, 1985 by the Purchaser, Stoney Creek Haulage Limited and scheduled for closing on November 7, 1985 be approved and completed.

The property is composed of a parcel of land located on the north side of Burlington Street East having a frontage of 30.48 m (100') by a depth of 49.847/50.902 m (163.54'/167') respectively and comprises an area of 1535.4m<sup>2</sup> (.379 acres) more particularly described as Part 1 on Plan NS-2385.

The purchase price is \$60,000.00. A deposit cheque in the amount of \$1,000.00 is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor, upon completion of this transaction, will pay a 5% real estate commission to Canada Permanent Trust Company, whose agent, Mr. Mel Seburn, acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out on the attached pages marked as APPENDIX "K".

18. That an offer to Purchase the lands of the Corporation of the City of Hamilton, duly executed on September 6, 1985, by the Purchaser, Joseph and Ann Rosati, and scheduled for closing on February 1st, 1986 be completed.

The property is composed of a parcel of land located on the north side of Rymal Road, having a frontage of 278.39' by a depth of 300' and comprises an area of 1.9176 acres, more particularly described as Lot 5 on Plan M-227.

The purchase price is \$65,000.00. A deposit cheque in the amount of \$4,000.00 is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor, upon completion of this transaction, will pay a 5% real estate commission to Catania Real Estate Ltd., whose agent, Mr. Vern Catania acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out on the attached marked pages as APPENDIX "L"

19. (a) That the total breakdown of expenditures of \$1,603,000 for the Downtown Action Plan - Phase II, as analyzed on the attached Summary of Capital Expenditures as at July 31, 1985, attached hereto as APPENDIX "M" which includes a general contingency of \$39,669, be approved.
- (b) That the expenditure of \$8,453 for engineering surveys and rentals of a sound system, and various commitments totalling \$12,493 as listed in the Summary of Capital Expenditures - Downtown Action Plan - Phase II, Account No. 0405-A4800 and A4801 (Page 3) be approved.
- (c) That the Fifty six thousand dollards (\$56,000.) increase in Phase II, Downtown Hamilton Action Plan be provided from within the 1985-89 Capital Budget for Phase IIIB in the amount of One million, two hundred thirty four thousand, seven hundred and ninety dollars, (\$1,234,790.)
20. (a) That the firm of Weir and Foulds, Barristers and Solicitors be retained under the direction of the City Solicitor to act for the City in regard to the Supreme Court of Ontario action commenced against the City by Anthony Butler, Philip R. Brook, William E. Carruthers and John N. Shaw carrying on this practise of architecture under the name Anthony Butler/Brook Carruthers Shaw at an estimated cost of \$15,000.00.
- (b) That the Finance Committee be requested to recommend the method of financing this expenditure.
21. That the report of the Planning and Development Department on the "Downtown Idea Exchange", dated 1985 September 3, attached hereto and marked as Appendix "N" which was presented to the Planning and Development Committee at its meeting held, 1985 September 11, BE RECEIVED.
22. That leave be granted to introduce the following Bills:
- i) Bill C-93 By-law to designate an Improvement Area generally comprised of Lands on the East and West Sides of James Street North between the Railway Tracks on the North and King William Street on the South.
- Bill C-94 By-law to define as a Heritage Conservation District the area comprised of St. Clair Avenue between Main Street East and Delaware Avenue.



Bill C-93      By-law to designate an Improvement Area  
generally comprised of Lands on the East  
and West Sides of James Street North  
between the Railway Tracks on the North  
and King William Street on the South.

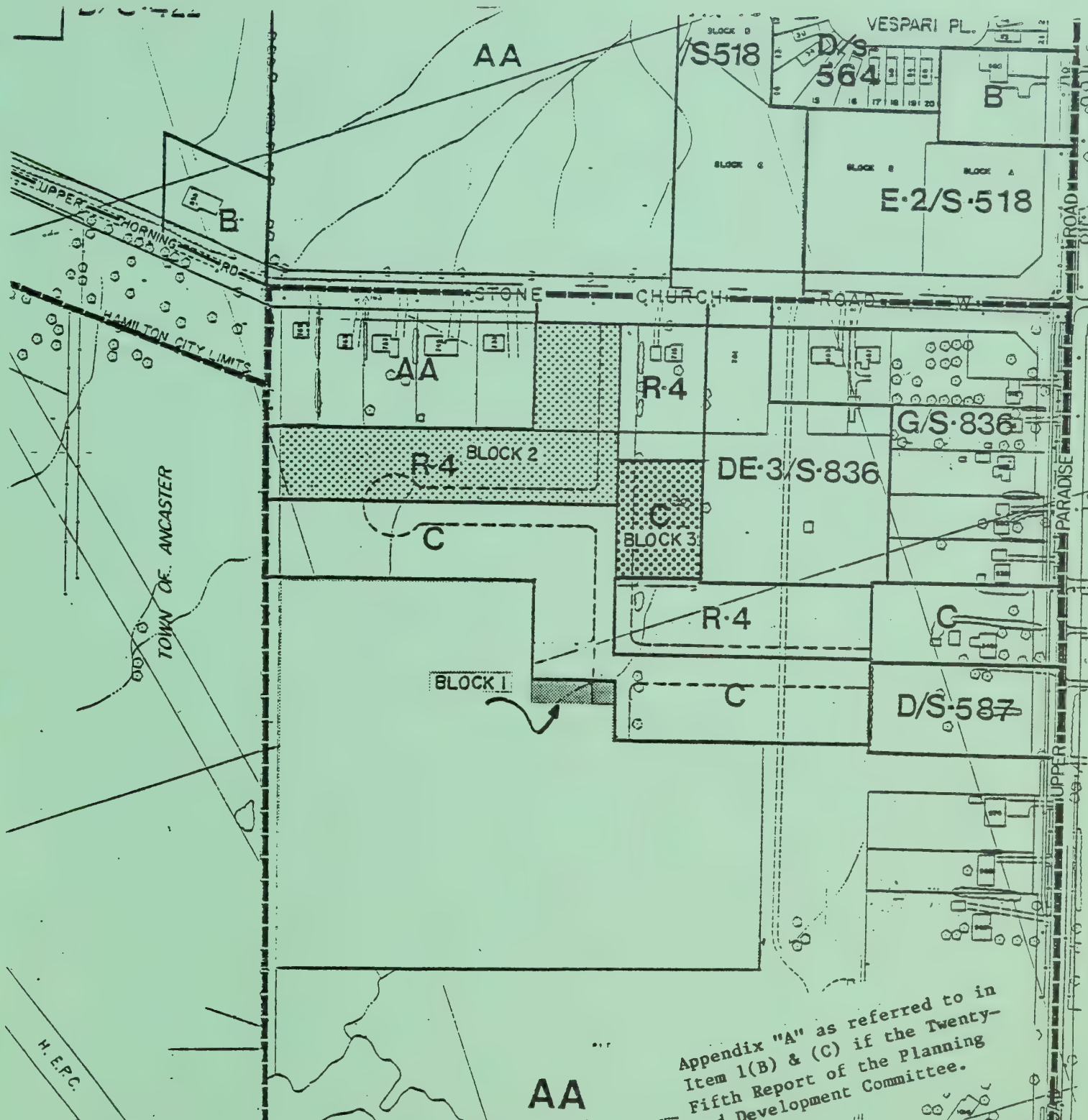
Respectfully submitted,

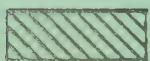
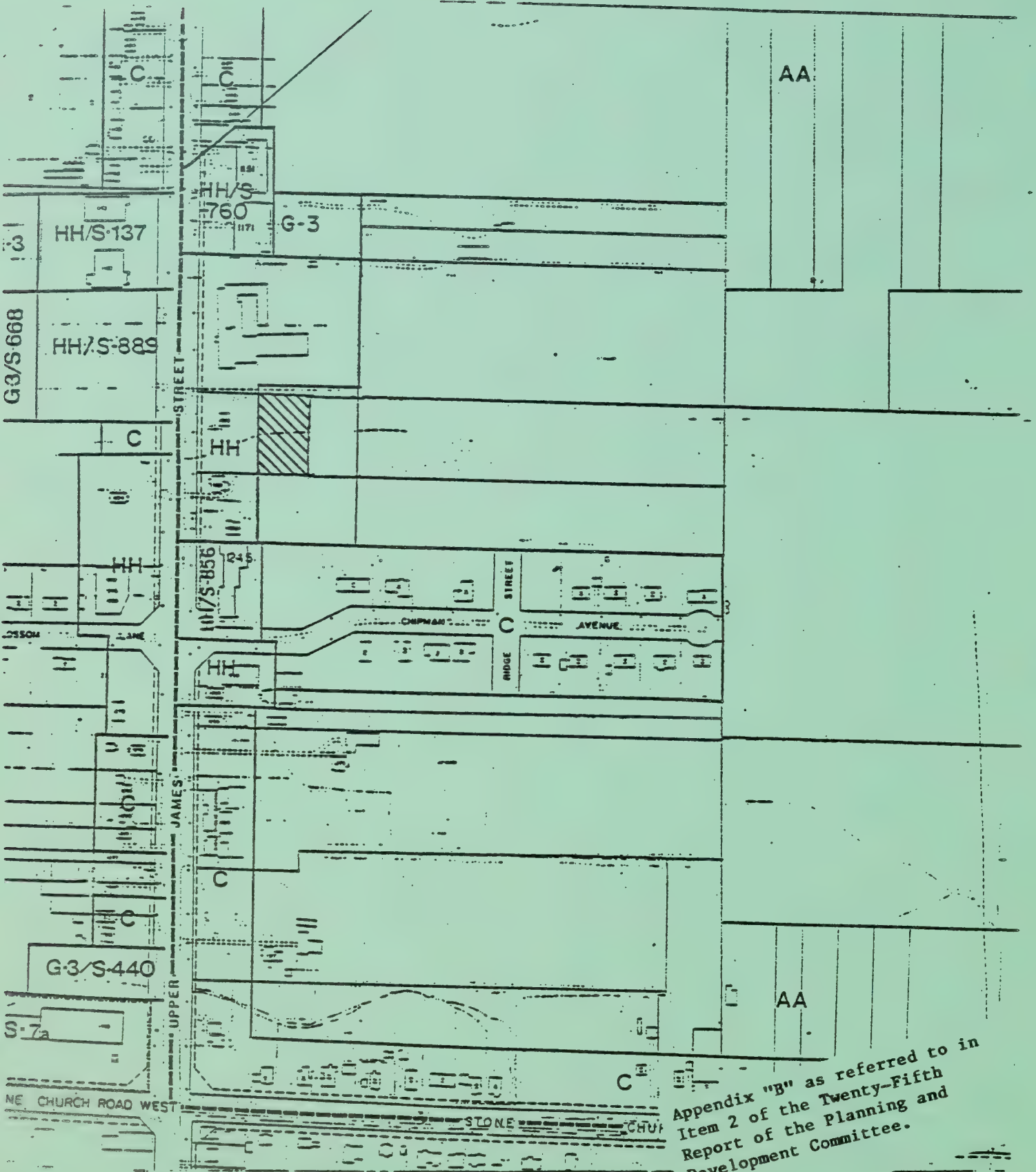
Alderman W. M. McCulloch, Chairman  
Planning and Development Committee

John D. Thompson, Secretary  
Planning and Development Committee  
JDT:tb

1985 September 12





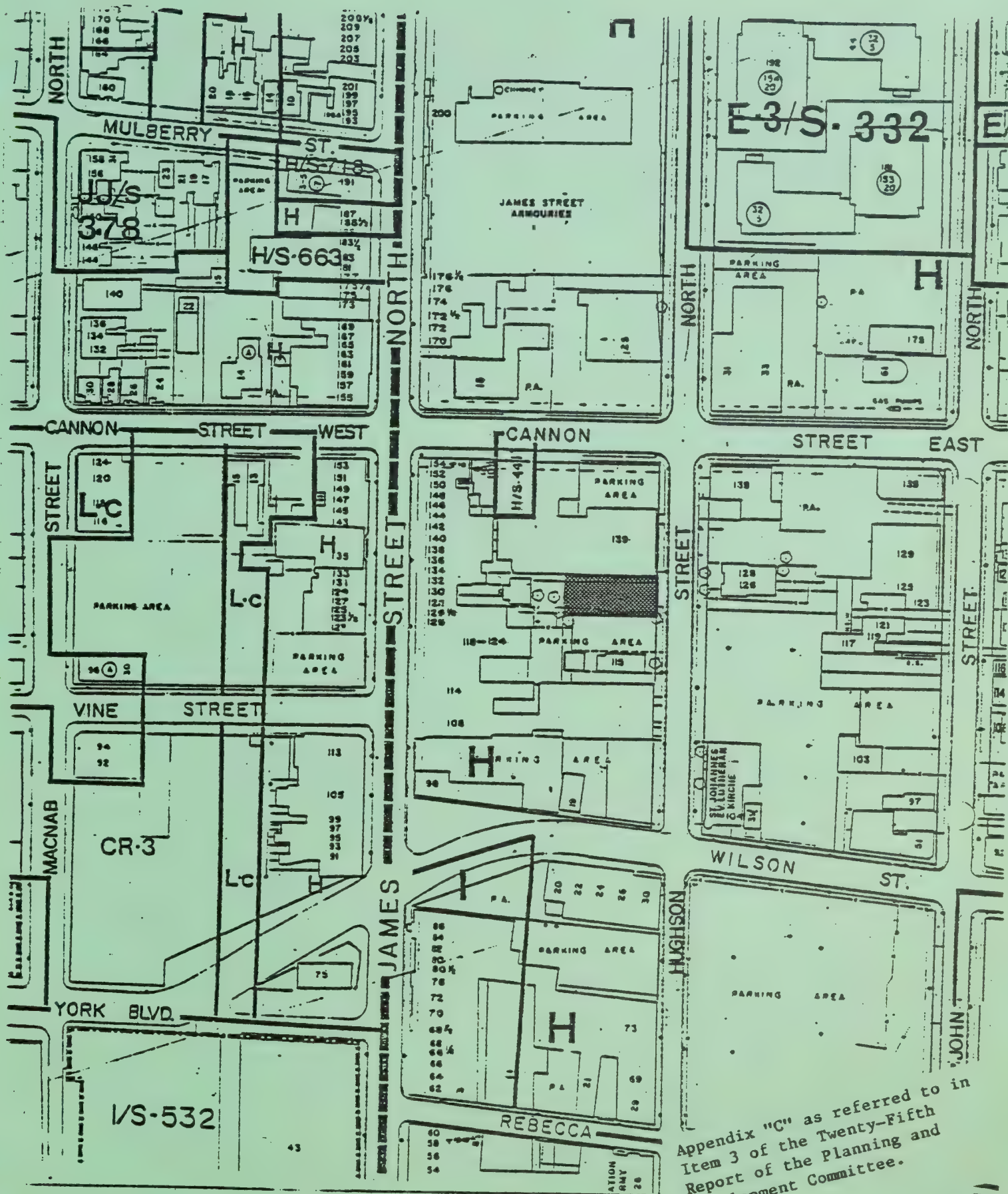


SITE OF THE APPLICATION

Appendix "B" as referred to in  
Item 2 of the Twenty-Fifth  
Report of the Planning and  
Development Committee.







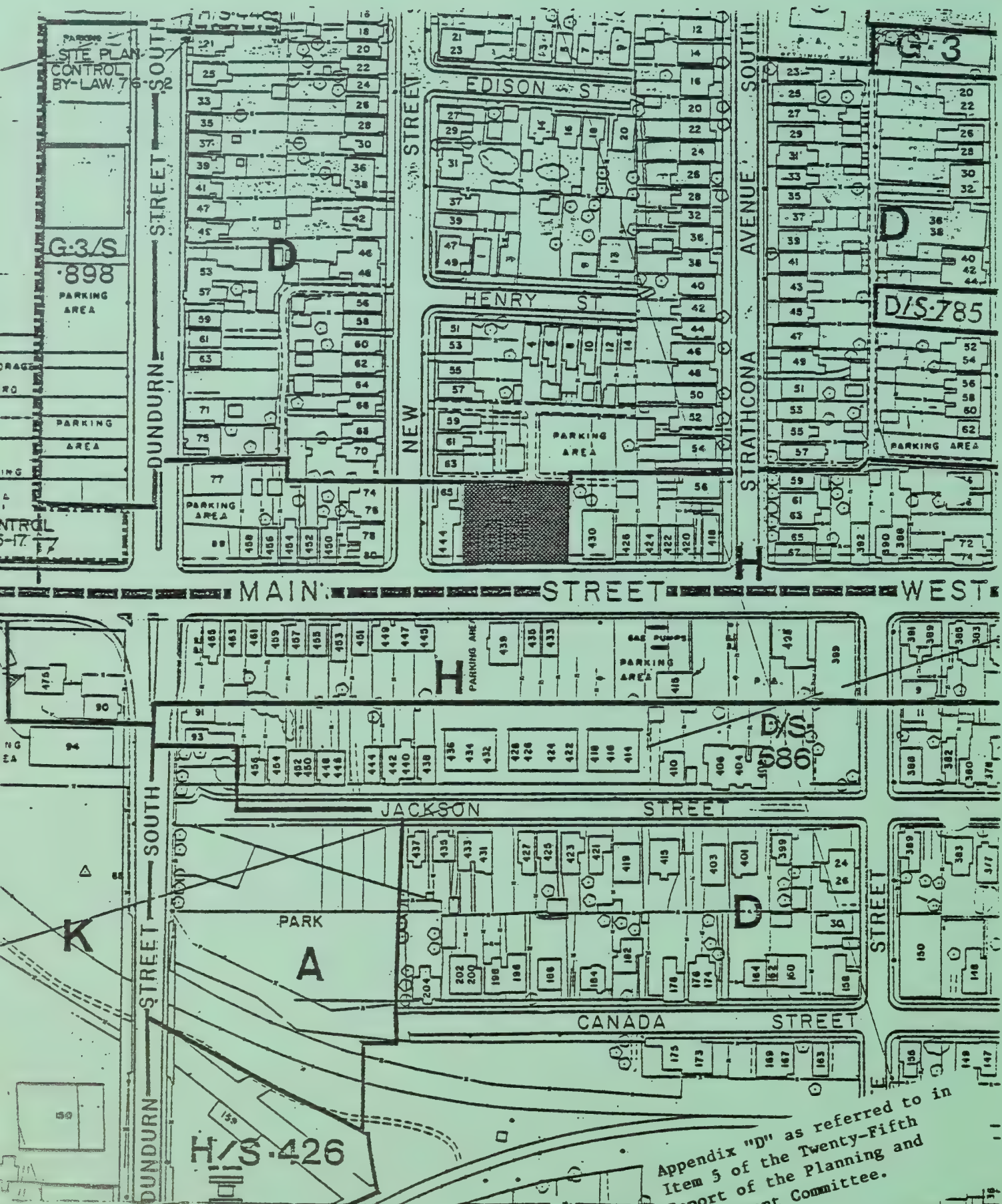
SITE OF THE APPLICATION

Appendix "C" as referred to in  
Item 3 of the Twenty-Fifth  
Report of the Planning and  
Development Committee.



2A85-58



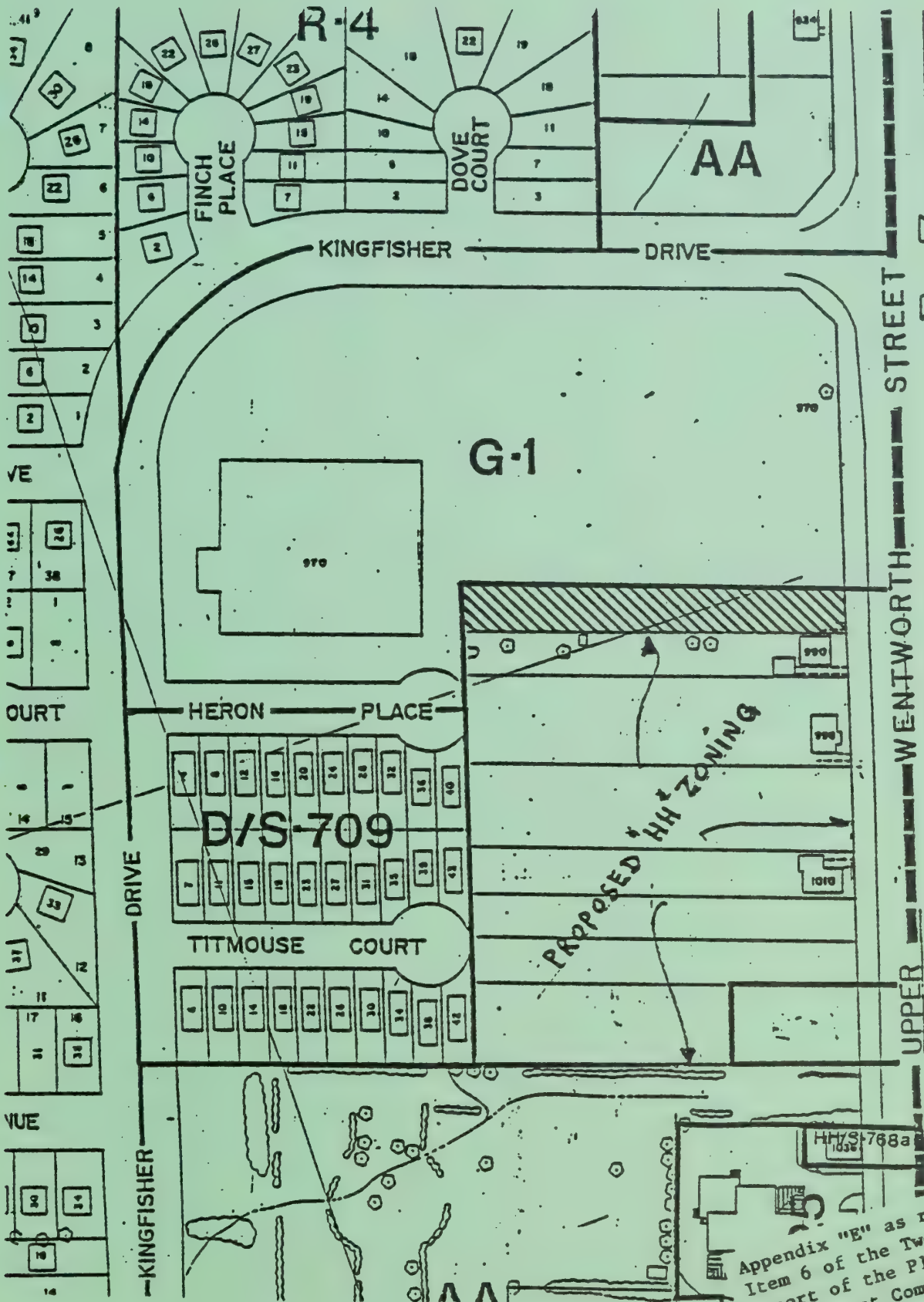


SITE OF THE APPLICATION

Appendix "D" as referred to in  
Item 5 of the Twenty-Fifth  
Report of the Planning and  
Development Committee.

2A85-60





LEGEND

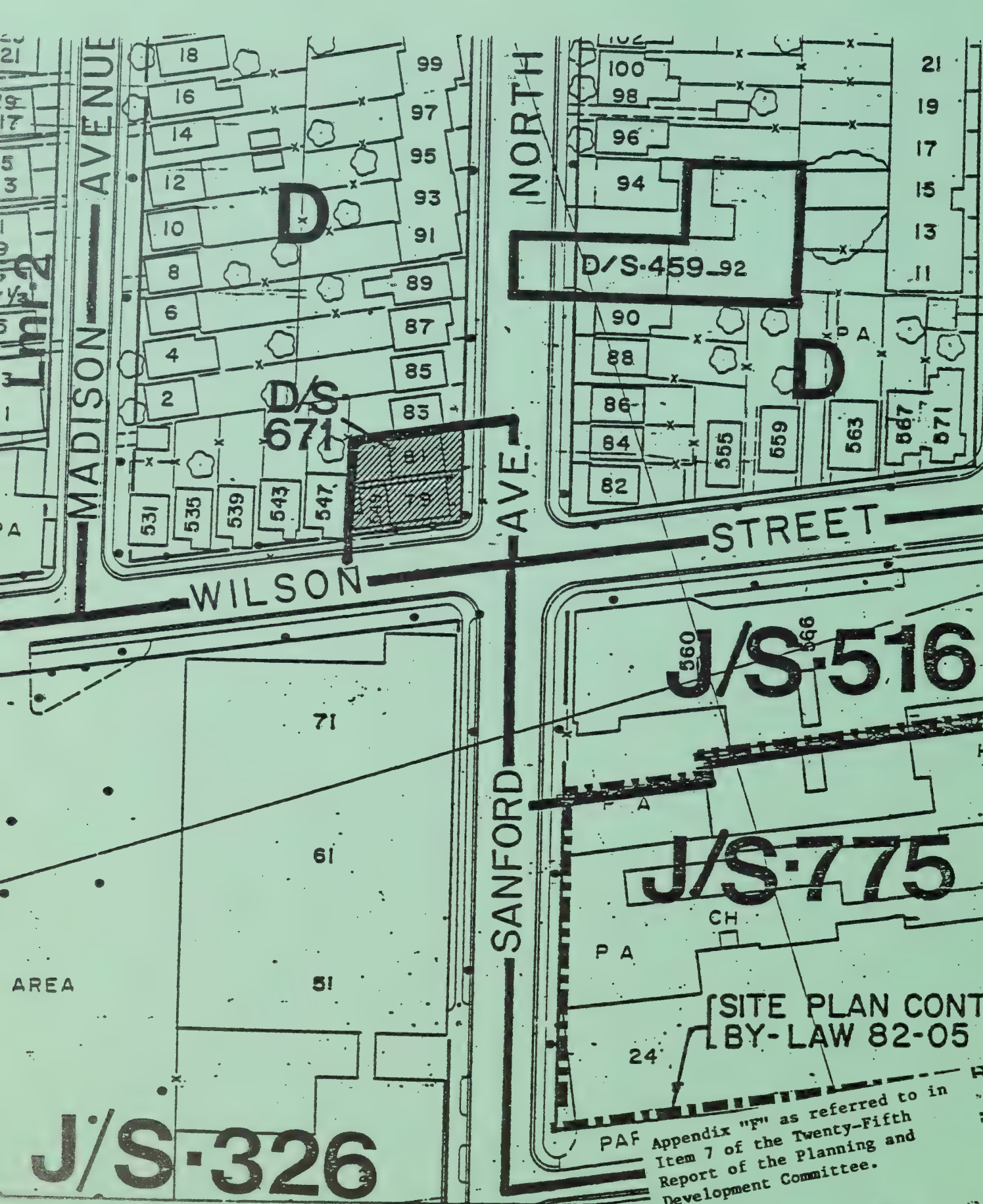


SITE OF THE APPLICATION.

Appendix "G" as referred to in  
Item 6 of the Twenty-Fifth  
Report of the Planning and  
Development Committee.

ZA-85-64

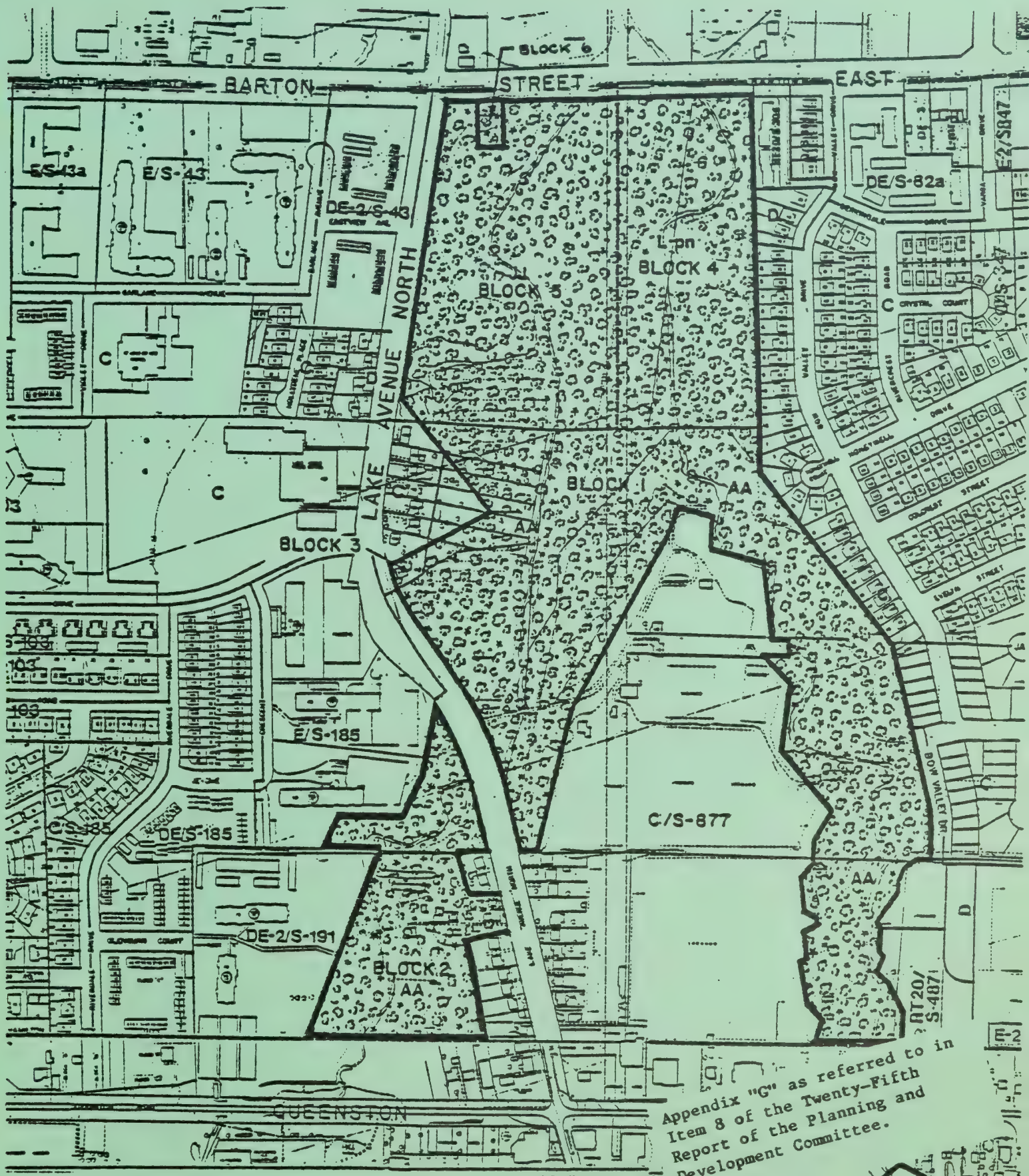




 SITE OF THE APPLICATION



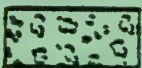




Appendix "G" as referred to in Item 8 of the Twenty-Fifth Report of the Planning and Development Committee.

#### LEGEND

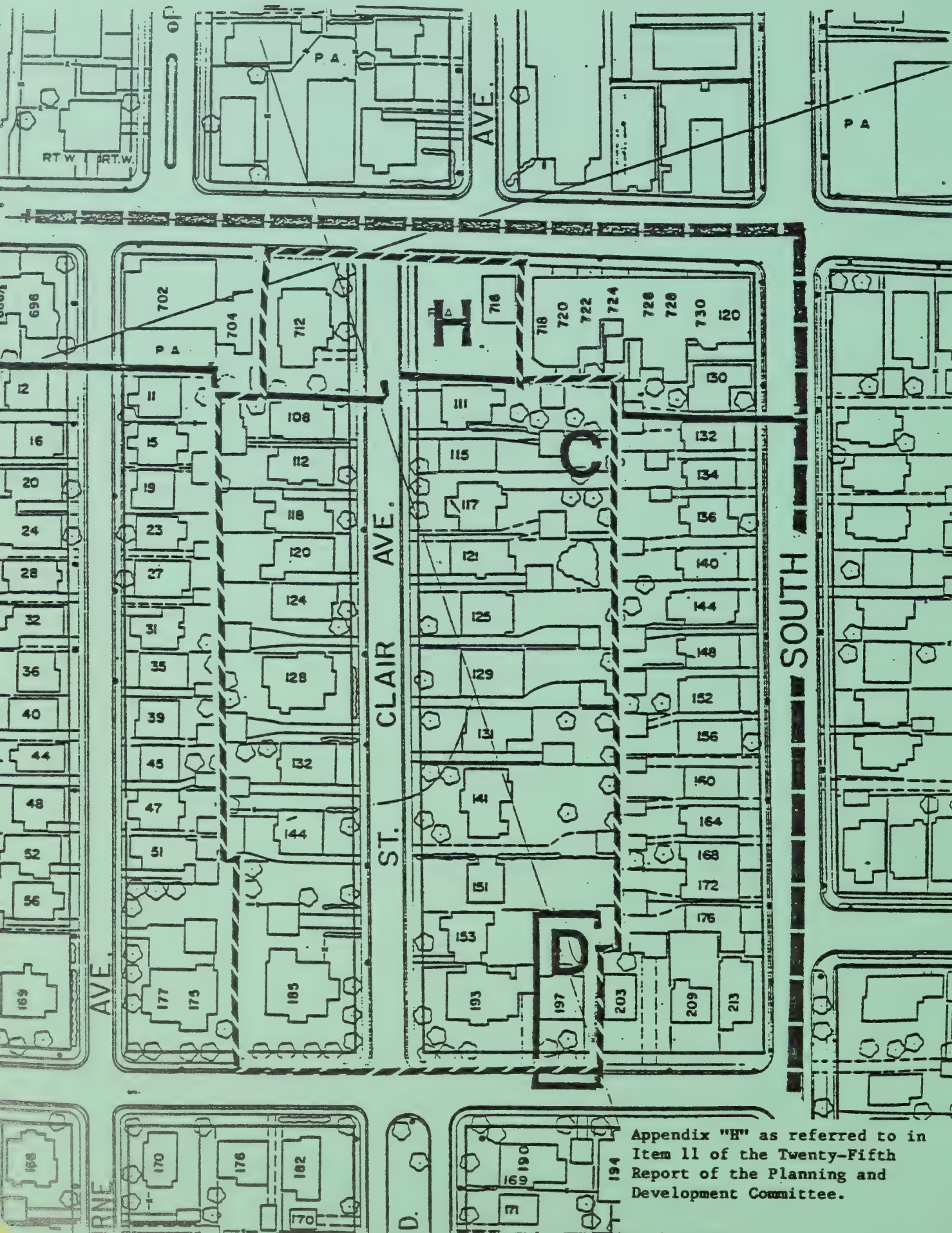
BLOCKS 1-6



Lands for which a change in Zoning from "AA" (Agricultural, "C" (Urban Protected Residential, etc.), "L-pn" (Planned Development - Public and Institutional) and "JJ" (Restricted Light Industrial) Districts to "A" (Conservation, Open Space Park and Recreation) District is proposed

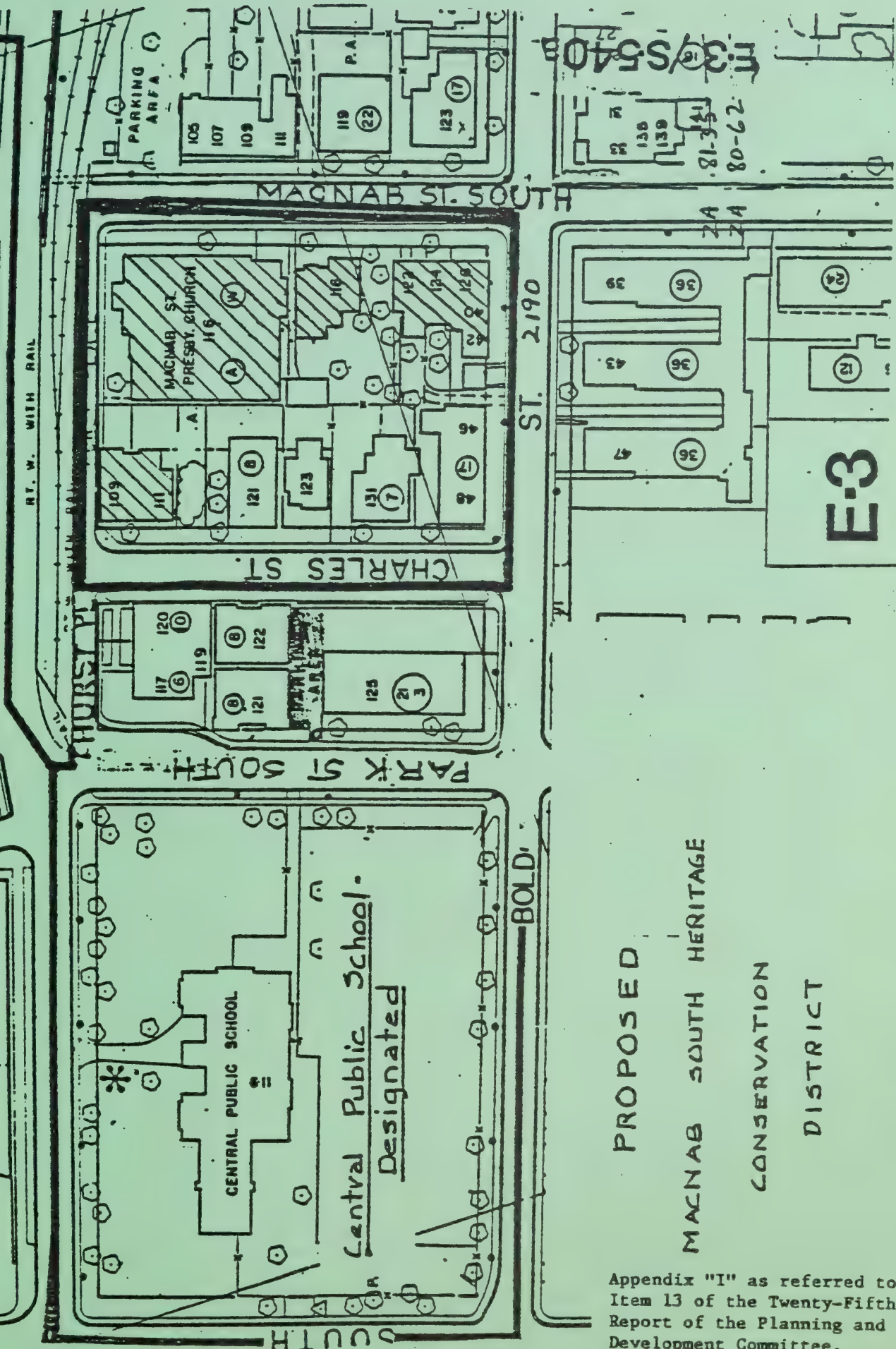






Appendix "H" as referred to in Item 11 of the Twenty-Fifth Report of the Planning and Development Committee.



Whitehevn- Designated

PROPOSED  
MACNAB SOUTH HERITAGE  
CONSERVATION  
DISTRICT

Appendix "I" as referred to in Item 13 of the Twenty-Fifth Report of the Planning and Development Committee.

▼ To Sandyford Place.  
Designated

6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be usual municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser upon development of the Property; in particular, without limiting the generality of the foregoing, the Purchaser realizes that it may also be required after the grant to it:

- (a) to pay municipal, realty and business taxes;
- (b) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (c) to pay building permit application fee;
- (d) to pay for the connection from abutting streets, easements or right of way of all utilities to the premises;
- (e) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (f) to convey five percent (5%) of the land to the municipality for park purposes as a condition for development or redevelopment of the land for residential purposes;
- (g) to apply for a re-zoning of the property as the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may be assigned by the Purchaser and the Purchaser has the right to direct the Owner to convey the land to the Purchaser in trust, or to the Purchaser and another or to a new third party, provided that any such assignment or direction shall not release the Purchaser from its obligation to pay the purchase price for the Property on the closing of this transaction; provided that the purchase price of the property remains at \$187,500.00 if the subject lands are conveyed to a third party.

6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:

1. That the grantee shall commence construction of a building, having a minimum building area of 25,000 to 30,000 square feet, upon the hereinbefore described land by not later than December 15, 1986.

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been substantially installed as determined by the Office of the Building Commissioner, acting reasonably.

2. That the grantee shall complete construction of the said building not later than December 15, 1987. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
3. In the event that the grantee, after the closing of the within purchase and sale, does not comply with the covenant 6.3 (1) by the date set out therein, the grantee covenants and agrees that the grantee shall sell the lands to the Corporation of the City of Hamilton, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever save and except any registered restrictions or covenants, provided same are complied with, - if required by the City, on or before February 15, 1987 for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the hereinafter referred commission paid by the City to a real estate agent; (c) a penalty and interest owing on them - as Item 16 of the Twenty-Fifth Report of the Planning and Development Committee.



however if any third party or governmental authority delays in the granting of any permit or approval required for the development of the project on the Property and the construction of the improvements thereon, or in the event of strikes or lockouts or shortages of materials, then the commencement of construction referred to in Subsection 6 (3) (1) shall be extended by the aggregate amount of all such delays.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.
- 6.6 The Purchaser agrees:
- (a) that he shall enter into a site plan agreement with the City in a reasonable form satisfactory to the City (and the Purchaser and its solicitors) under section 40 of The Planning Act (R.S.O. 1980 c. 379 as amended)
  - (b) The Agreement shall include:
    - (i) The Purchaser's acknowledgement that the City has installed a berm approximately 4 feet high and approximately 20 feet wide along the rear of the property, which berm is shown as Part of Part 15 on Reference Plan 62R-6932.
    - (ii) The Purchaser's acknowledgement that the City has landscaped the berm with grass, shrubs and trees to establish a visual barrier along the Queen Elizabeth Way frontage of the Purchaser's property, as illustrated on a landscape plan dated August 15, 1983 designed by F. Berndt of the Department of Public Works of the City of Hamilton.
    - (iii) The obligation of the Purchaser for himself, his heirs, successors and assigns, as the case may be to:
      - (a) maintain and keep good care of the said landscaping including the replacement of same when necessary;
      - (b) not to remove the landscaping or the berm, and;
      - (c) not to alter the berm or the landscaping except to improve the landscaping.
  - (c) The Purchaser agrees to register the said agreement on title to the said land free and clear of all encumbrances at the time of the delivery of the City's deed of the said land to the Purchaser.
- 6.7 The Purchaser acknowledges that he is obliged in respect of the balance of the whole property (the bulk of his site) and the purchaser agrees he shall in respect of his development of the said balance of the whole property, apply for approval of the City under Section 40 of The Planning Act, R.S.O. 1980 c. 379 as amended, and receive the approval of the City, prior to obtaining his Building Permit.
- 6.8 The Purchaser also agrees that paragraphs 6.6 and 6.7 shall not merge upon the delivery of the City's deed herein, but shall remain in full force and effect.
- 6.9 The Purchaser acknowledges to the City that the Purchaser realizes he is obliged to apply for building and land use permit to the Ministry of Transportation and Communications because the whole property is adjacent to the Provincial Queen Elizabeth Way Highway.

6.10 The Vendor acknowledges the closing of the within purchase and sale is subject to the Purchaser obtaining prior to the closing date the Planning Act approval set forth in paragraph 6.7 hereof, the building and land use permit referred to in paragraph 6.9 hereof and a Building Permit from the Vendor. The Vendor hereby agrees to provide reasonable assistance and information that may be required to obtain such approvals and permits. If delays in obtaining such approval and permits are encountered which are not the fault of the Purchaser, then the Purchaser may want to extend the closing date by a further ninety days. If the Purchasers or its solicitors give written notice to the Vendors or its solicitors that the Purchaser has been unable to obtain any such appraisals or permits or has been unable to obtain any of same on usual or reasonable terms then on receipt of such notice this Agreement shall be null and void and neither party shall have any further rights and obligations and the deposit shall be returned.



6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:

- (a) to pay municipal, realty and business taxes;
  - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
  - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
  - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
  - (e) to pay building permit application fee;
  - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
  - (g) to pay for the connection of all utilities to the premises;
- ~~xxxxxx to prepare and obtain all necessary approvals and permits pursuant to the Planning Act and the provisions of the Building Permit Act and to enter into a site plan agreement with the City of Hamilton as required by the Municipal Code;~~
- ~~xxxxxx to convey five percent (5%) of the land to the Municipality for public purposes as a condition of development on the land for residential purposes;~~
- ~~xxxxxx to apply for zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board;~~

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:

1. That the grantee shall commence construction of a building, having a minimum building area of 2,000 square feet, upon the hereinbefore described land by not later than April 7, 1986 (Purchaser to build extending building).  
Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the grantee shall complete construction of the said building not later than October 7, 1987.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

D

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:
- (a) to pay municipal, realty and business taxes;
  - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
  - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
  - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
  - (e) to pay building permit application fee;
  - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
  - (g) to pay for the connection of all utilities to the premises;
  - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
  - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
  - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:
- 1. That the transferee shall commence construction of a building, having a minimum building area of 8,000 square feet, upon the hereinbefore described land by not later than February 15th, 1988
- Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2. That the transferee shall complete construction of the said building by not later than February 15th, 1989.
- The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.



4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.



**SUMMARY OF CAPITAL EXPENDITURES - DOWNTOWN ACTION PLAN - PHASE II**  
as of July 31, 1985

Account Number (1)	Council Approval (2)	Description (3)	Amount of Council Approval (4)	Outstanding Commitment (5)	Actual Expenditure (6)	Amount Available (4)-(5)-(6) (7)
<b>0405-A4 - Downtown Action Plan - Phase II</b>						
300		<b>Ontario Municipal Board</b>				
1	May 8/84	O.M.B. Fee for Approval of the Project	1,077	-	1,077	-
400		<b>Consultant Fees</b>				
1	May 26/85	C.C. Parker - Consulting Professional Engineers	5,000	5,000		-
2	Feb. 12/85	Moorhead, Fleming, Corban, McCarthy - Landscape Architects/Resource Planners	108,000	33,845	74,155	-
3	Feb. 16/85	Roger DuToit Assoc. - Planning, Urban Design (including expenses)	1,490		1,490	-
			114,490	38,845	75,645	-
00		<b>Poles, Fixtures and Hardware</b>				
1	July 16/85	Powco Steel Products Ltd. - Lighting Poles and Hardware	212,914	212,914		-
2	July 16/85	Gullelin International - Light Fixtures	62,593	62,593		-
3	July 16/85	Wesco Ltd. - Light Fixtures	13,819	13,819		-
4	July 16/85	Nedco Ltd. - Light Fixtures	80,176	80,176		-
			369,502	369,502	-	-

Appendix "M" as referred to in Item 19 of the Twenty-Fifth Report of the Planning and Development Committee.

SUMMARY OF CAPITAL EXPENDITURES - DOWNTOWN ACTION PLAN - PHASE II  
as at July 31, 1985

Account Number (1)	Council Approval (2)	Description (3)	Amount of Council Approval (4)	Outstanding Commitment (5)	Actual Expenditure (6)	Amount Available (4)-(5)-(6) (7)
<u>0405-A4 - Downtown Action Plan - Phase II - continued</u>						
600		<u>General Construction Costs:</u>				
	July 16/85	- Delmar Contracting Ltd.				
		(controlled by total of \$1,061,102)				
1		General Requirements, Project				
2		Overhead, etc.	46,260	46,260		-
3		Demolition	86,700	86,700		-
4		Electrical Work	286,000	286,000		-
5		Storm Drainage Systems	11,260	11,260		-
6		Concrete Curbing	69,800	69,800		-
7		Roadway Repair	60,000	60,000		-
8		Asphalt Resurfacing	11,000	11,000		-
		Utility Frames, Grates and Covers	14,400	14,400		-
9		Concrete Pedestrian Crosswalks	57,000	57,000		-
601						
1		Concrete Sidewalks	75,150	75,150		-
2		Concrete Unit Paving	173,465	173,465		-
3		Natural Stone Paving	24,492	24,492		-
4		Site Furnishings	21,475	21,475		-
5		Prefabricated Tree Crates	17,600	17,600		-
6		Tree Planting	51,200	51,200		-
7		Shrub Planting	2,300	2,300		-
8		Other Work	3,000	3,000		-
9		Contract Contingency (Allowance)	50,000	50,000		-
			1,061,102	1,061,102		-

**0405-A4 - Downtown Action Plan - Phase II - continued**

Account Number (1)	Council Approval (2)	Description (3)	Amount of Council Approval (4)	Outstanding Commitment (5)	Actual Expenditure (6)	Amount Available (4)-(5)-(6) (7)
<b>0405-A4 - Downtown Action Plan - Phase II - continued</b>						
700		<b>Banner Program</b>				
1	Sept. 25/84	Banner Program - Vertical Extensions to the Existing Poles - Powco Steel Products	16,630	15,053		1,577
2	Feb. 16/85	Banner Competition - Competition Awards	500		500	-
			17,130	15,053	500	1,577
800		<b>General Contingency</b>				
0		Unallocated Authorized Appropriation	39,699			
1		Engineering Surveys			8,368	
2		D. A. Sound - System for Public Meeting			85	
3		Toronto Transit Commission				
4		- Trolley Clamps		1,136		
5		National Mine Services - Insulator and Protective Shell		1,848		
6		Westinghouse Ltd. - Lamps		1,350		
7		Gescan Ltd. - Lamps		1,148		
8		Nedco Ltd. - Eyebolts		42		
9		Ohio Brass Co. - Spacers		1,899		
		Harte and Lyne Brokers				
		- Fees and Duty		750		
801						
1		Canusa Ltd.- Insulated Sleeves	39,699	4,320		18,753
				12,493	8,453	
	May 8/84	<b>TOTAL PHASE II</b>	<b>1,603,000</b>	<b>1,496,995</b>	<b>85,675</b>	<b>20,330</b>



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Planning and Development Department  
71 Main Street West, Hamilton, Ont. L8N 3T4

ITEM NO. 19

September 3, 1985

Refer to File No. P5-4-7

Attention of

Your File No.

FOR INFORMATION ONLY

TO: THE CHAIRMAN AND MEMBERS  
OF THE CITY OF HAMILTON  
PLANNING AND DEVELOPMENT COMMITTEE

SUBJECT

Downtown Idea Exchange

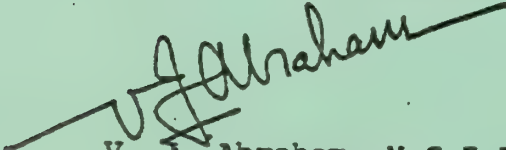
RECOMMENDATION


That this report be forwarded to Council for information.

EXPLANATORY NOTE

Hamilton's Central Area Plan is cited in two recent issues of the Downtown Idea Exchange as good planning strategy. This brings widespread recognition to Hamilton and the downtown development approach contained in the Central Area Plan. The Downtown Idea Exchange is a newsletter which contains articles on downtown revitalization. It is published in New York City and is circulated widely across North America.

Respectfully submitted,

  
V. J. Abraham, M.C.I.P.  
Director of Local Planning

  
J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development

Appendix "N" as referred to in  
in Item 21 of the Twenty-Fifth  
Report of the Planning and  
Development Committee.



REPORT

The Downtown Idea Exchange, a newsletter published in New York City on downtown revitalization, cites Hamilton's Central Area Plan in two recent issues (see Appendix).

The July 1 newsletter states that the Central Area Plan for Hamilton, Ontario, Canada sets a series of policies for movement in and around downtown (of cars, people, goods) that includes basic concepts for upgrading the parking system to make it work better for downtown.

The August 1 newsletter starts off with "few downtowns have a comprehensive traffic strategy encompassing cars, trucks, buses and people. Hamilton, Ontario is a good example of how to do it."

It goes on to state that in its Central Area Plan Hamilton carefully investigated 'movement' of all kinds in downtown and formulated a strategy on the subject. It balances all the sometimes conflicting elements of transportation. The entire introduction to the Movement section in the Central Area Plan is quoted.

The Downtown Idea Exchange newsletter is widely read throughout North America. Requests for information on the Central Area Plan have already been received. This is favourable publicity for Hamilton and for the downtown development strategy adopted in the Central Area Plan. It is anticipated that the Central Area Plan Update 1985, now being prepared with the Central Area Plan Implementation Committee (CAPIC), will build on these policies.

VJA:RC:jd

# Downtown Idea Exchange

The newsletter dedicated to downtown revitalization

DOWNTOWN RESEARCH AND DEVELOPMENT CENTER  
1133 Broadway, Suite 1407, New York, NY 10010 Tel. (212) 206-7979

news • concepts  
data • strategy  
research • plans  
information • projects

PLANNING 1985 DVE 32-NOV-85

## DOWNTOWN EXECUTIVE SUMMARY

Many downtowns have exploited underground development, and more will in the future, to find space, maintain compactness, and get other development benefits (p.1)... ANALYSIS: Industrial incubators are getting well known. There is also real potential for downtown commercial incubators. This analysis outlines downtown incubator guidelines (p.2)... Parking Idea Exchange: On preparing a total parking strategy for a downtown, and a look into who wants free or cut-price parking and why (p.3)... Time-of-day pricing for transit rides is proving effective in cutting peak hour loads, building ridership and bolstering downtown (p.4)... Over 40 downtowns in Wisconsin have run retreats to think through downtown's problems and needs. Here's how they do it for downtowns in places from 6,000 population to 90,000 (p.5)... Downtowns from Georgia to California continue to innovate development concepts bringing retailing, office space, housing and more into downtown in creative ways (p.7).

\*\*\*

## Downtown Potential Down Under

Down under the surface of downtown land, there is potential for subsurface development that can make sense in many downtowns. Even in very small downtowns, subsurface space is already utilized for parking, offices, storage, retailing, service businesses, walkways and tunnel networks, transit tunnels, goods loading, utility lines, other uses and many imaginatively planned mixed-use combinations.

The lure has always been a combination of these things: the chance to find some land (or space) on a cost effective basis; the need to find some space at almost any cost; the desire to keep businesses, complexes and downtown as a whole as compact as possible; the wish to keep some pedestrian or vehicular traffic off of the surface streets; the goal of creating close connections between buildings; added to that, the objective of conserving energy.

These goals continue to make sense. Just as stores, in the past, utilized basements and pushed out into vaults under sidewalks and as office buildings added subsurface parking, the concept of doing it underground will find more future applications. It is often comparatively easy in well-designed new development, but is also feasible in well-planned retrofit situations. Underground development space can be created when a subsurface space is mined out of the ground, built-up and occupied; or when space is opened up by cut-and-cover techniques.

The report "Planning For Underground Space" is a well-rounded treatment of planning, design, costs and problems in developing underground space. It was published by the Planning Advisory Service of the American Planning Association, 1313 East 60th Street, Chicago, IL 60637. This report was prepared by Martin Jaffe of the APA staff, and by Raymond L. Sterling and Susan R. Nelson of the Underground Space Center, located at the University of Minnesota.



# Downtown Idea Exchange

The newsletter dedicated to downtown revitalization

news • concepts  
data • strategy  
research • plans  
information • projects

DOWNTOWN RESEARCH AND DEVELOPMENT CENTER  
1133 Broadway, Suite 1407, New York, NY 10010 Tel. (212) 206-7979

August 1, 1985 Vol 32 No. 15

## DOWNTOWN EXECUTIVE SUMMARY

To get more housing developed downtown, Rochester, NY organized a solid study program aimed at incentivizing new development and rehab (p.1)... Building up pedestrian appeal is a downtown basic. Here are 71 ideas for improving pedestrian accessibility, activity and amenity (p.2)... Few downtowns have a comprehensive traffic strategy encompassing cars, trucks, buses and people. Hamilton, Ont. is a good example of how to do it (p.5)... A shoppers survey in Columbia, MO showed that it's the stores and other businesses that form the basic attraction, but other factors add to downtown's total magnetism (p.6).

\* \* \*

### How Rochester Goes For Housing

The key people interested in downtown Rochester, NY decided to find out the potential for developing housing and a 24-hour community downtown. In a major decision, the Rochester Downtown Development Corporation's Residential Committee adopted on February 14, 1985 a set of seven Residential Development Program Objectives. These are:

1. To build support for downtown living among groups which influence where people live.
2. To determine those marketing and financial considerations working for and against downtown residential development.
3. To determine the types of residential development most likely to succeed in this area.
4. To develop an awareness of preferred areas, sites, and buildings for residential development in the northeast Central Business District (CBD).
5. To recommend preferred types and locations of businesses, services, open spaces, public services and public improvements supportive of downtown residential development.
6. To determine the residential development potential in the northeast CBD for the five-year period, 1984-1988 (market information).
7. To create a balance between subsidized and market rate housing in the CBD, accommodating the spectrum of income levels and needs in our community.

Next, RDDC pushed into a 10-month residential study. The study was funded at \$85,000, raised from several sources. The city provided a \$20,000 professional services contract, and several foundations funded specific elements of the total program.

## Strategic Planning Integrates Vehicles With Pedestrians

Much downtown traffic planning and pedestrianization is strictly ad hoc. Solve the problem of intersection clogging here, widen a sidewalk there. Doing it well, and for the long term, requires that downtown put together a strategic approach that maps out objectives and gives correct priorities to people movement, car flow, buses, trucking and the rest.

In its Central Area Plan, Hamilton, Ont., Canada carefully investigated "movement" of all kinds in downtown and formulated a strategy on the subject. It balances all the sometimes conflicting elements of transportation. The plan's strategy statement reads this way:

If the Central Area is to function as the primary regional employment center, it is essential that an efficient transportation system is provided to move people and goods into and within the area, particularly, the downtown. This will involve pedestrian systems, bicycle, bus, car, truck and rail facilities, and includes parking, loading and distribution points.

A prime consideration is the need to integrate the transportation system into the desired living and working environment in such a way that the efficiency of the transportation system does not undermine the attractiveness of the area as a place to walk, sit, cycle or browse. The intention is to move people into and out of the Central Area with minimum disruption to persons already within the area.

A key improvement for the Central Area will be the diversion of through-traffic away from the Central Area and an increased emphasis on the pedestrian rather than the motor vehicle.

It is intent of this Plan to provide an effective transportation system to move people and goods into and within the downtown to enhance its business and commercial function, and to provide a pedestrian circulation system in appropriate locations to enhance and promote existing commercial facilities. Inherent in the overall intent is a recognized preference for the pedestrian amenity at the expense of moving vehicles as quickly as possible through the shopping areas. The Plan is promoting a lower level of service than is currently provided for the automobile, and a higher level of service for the pedestrian, in critical areas.



## Parking Idea Exchange

Downtown White Plains, NY had problems enforcing parking meter time limit rules, as do a great many other downtowns. Feeling that violations were concentrated in certain areas, the parking enforcement supervisor started parking enforcement personnel plotting on maps the locations where they issue tickets. This has enabled the supervisor to identify problem areas. Then they can try to figure out what's wrong in each location with the rules, with enforcement procedures, etc. so that they can plan and take corrective action.

The Central Area Plan for Hamilton, Ont., Canada sets a series of policies for movement in and around downtown (of cars, people, goods) that includes basic concepts for upgrading the parking system to make it work better for downtown. Some of the key policies:

- \* Parking required for all new commercial development will be encouraged to be grouped in parking structures or underground garages.
- \* On-street parking will be eliminated from arterial and collector streets. The purpose is to improve traffic flow and downtown accessibility, and also to allow sidewalk widenings to add pedestrian space.
- \* Development of off-street parking lots will be encouraged but they should be "strategically located" for easy access by vehicles coming into downtown and also they should be convenient to downtown destinations.
- \* The parking fee structure in the core of downtown will be set lower for short-term parkers (shoppers) but raised higher for long-term parkers (commuters).
- \* All parking will be buffered and screened for aesthetic reasons, but also will be well-identified with appropriate signage for ease in finding the facilities.
- \* Multi-level parking to support new development will be located conveniently to pedestrian areas and will be grouped to serve several developments or mixed-use projects.









## REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its FOURTEENTH Report for 1985 and respectfully recommends:

1. That permission be granted to C.U.P.E. Local 167 to utilize the first and second floor lobbies of City Hall in connection with their Annual Children's Christmas Party to be held Sunday, 1985 December 15 from 1:00 p.m. to 4:00 p.m.
2. That permission be granted to the Child Committee Hamilton-Wentworth Inc. to hang a banner in front of City Hall from 1985 October 18 to 25 in connection with "Week of the Child."
3. That permission be granted to the Hamilton United Way Association to fly their flag over City Hall from 1985 September 24 to 1985 November 23.
4. That permission be granted to the Latvian Association to fly the Latvian flag over City Hall from 1985 November 18 to 25 to commemorate Latvia's Independence Day on 1985 November 18.
5. That permission be granted to the Ukrainian Canadian Committee to fly the Ukrainian flag over City Hall on 1985 September 28 in connection with the unveiling of the commemorative plaque in City Hall re: The Great Famine in the Ukraine.

NOTE: For the information of the members of City Council, on 1985 March 12, City Council adopted Item 4 of the Fourth Report of the Legislation Committee for 1985 and granted permission to the Ukrainian Canadian Committee to erect a commemorative plaque in City Hall.

The Ukrainian Canadian Committee have planned a brief unveiling ceremony to take place on Saturday, 1985 September 28 at 10:30 a.m.

6. That civic gold pins be awarded to the members of the Hamilton Seekers who won the Ontario Juvenile Volleyball Championships.

7. That sterling silver civic pins be awarded to the Hamilton Tyke Bengals Lacrosse Team who won the All Ontario Tyke "A" Championship on 1985 August 25 in Whitby, Ontario.
8. That sterling silver civic pins be awarded to the Mahoney Midget Bears who won the All Ontario Midget Baseball Championship on 1985 September 1-2 in Toronto, Ontario.
9. That the week of 1985 September 30th to October 5th be proclaimed as "Recycling Week in Hamilton."
10. That the following tax adjustments as recommended by the Tax Review Committee Committee at its meeting held 1985 September 4 be approved:

#### APPEALS

##### Schedule "A" Compassionate

AMOUNT (1)	(2)	(3)	(4)
Prior Year 1984	Year-to-date 1985	Tax Review Committee Sept.4, 1985	Total Year-to-date 1985
\$ 25,659.46	\$ 14,765.00	Nil	\$ 14,765.00

##### Schedule "B" Business

AMOUNT (1)	(2)	(3)	(4)
Prior Year 1984	Year-to-date 1985	Tax Review Committee Sept.4, 1985	Total Year-to-date 1985
\$1,356,461.68	\$1,786,028.48	\$ 130,534.88	\$1,916,563.36

##### Schedule "C" Realty

AMOUNT (1)	(2)	(3)	(4)
Prior Year 1984	Year-to-date 1985	Tax Review Committee Sept.4, 1985	Total Year-to-date 1985
\$ 304,045.91	\$ 207,411.55	\$ 14,602.55	\$ 222,014.10

11. WHEREAS the existing provisions of the Criminal Code are inadequate to effectively combat the growing problem of prostitution;

AND WHEREAS this problem has been encountered with increasing frequency in several municipalities across Canada, including Hamilton;

AND WHEREAS citizens and police forces across Canada are demanding changes in the applicable laws to protect persons and property from the influence of prostitution;

AND WHEREAS the jurisdiction to change the applicable laws (the Criminal Code of Canada) lies with the Parliament of Canada;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the City of Hamilton endorse the provisions of Bill C-149 and request the Parliament of Canada to effect speedy passage of the Bill into law. Further that copies of this resolution be forwarded to the Right Honourable Brian Mulroney, Prime Minister, the Honourable John Crosbie, Minister of Justice for Canada, the Honourable Ian Scott, Attorney General of Ontario, Area M.P. and M.P.P.'s, Chief R. E. Hamilton of the Hamilton-Wentworth Regional Police, the Association of Canadian Police Chiefs, and to all Ontario municipalities having a population in excess of 100,000.

12. That the City Solicitor be authorized and directed to amend By-law No. 79-175 respecting Division Fences to provide for a maximum cost sharing for a division fence and update the fine from \$1,000.00 to \$2,000.00.
13. (a) That Item 12 of the Thirteenth Report of the Legislation Committee for 1985 adopted by City Council on 1985 September 10 approving that the City purchase a half page ad in a special supplement being prepared by the Hamilton Spectator to commemorate the 75th Birthday of Stelco at an estimated cost of \$2,069.00 be rescinded.
- (b) That a more appropriate method of recognizing Stelco on the occasion of its' 75th Birthday be recommended for Councils' consideration.

14. That leave be granted to introduce the following Bill:

Bill D-17      By-law to amend By-law No. 79-175 Respecting  
Division Fences.

Respectfully submitted,

Alderman V. J. Agro, Chairman  
Legislation

Lynn Dale  
Secretary  
1985 September 17







## REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its TENTH Report for 1985 and respectfully recommends:

1. That Safety Officer M. Tracht, Fire Prevention Officer, be authorized to teach a course on "Maintenance Requirements of the Ontario Fire Code" at Mohawk College. Officer Tracht will be teaching this course on his own time. Chief Saltmarsh approves of this action.
2. That the policy on the loan of Fire Department equipment, as set out in Schedule "A" attached hereto, be approved.
3. (a) That the position of Box Office Manager, Hamilton Place/Victor K. Copps Coliseum, be established in Salary Schedule 115: \$29,168.88; \$30,483.96; \$31,855.20; \$33,288.84; \$34,786.96 per annum.  
(b) That Mrs. Colleen Spencer, currently Box Office Treasurer, Hamilton Place, be appointed to this position, effective September 30, 1985.
4. (a) That the position of Box Office Assistant Treasurer be re-titled Box Office Supervisor.  
(b) That the position of Box Office Supervisor be established at the Victor K. Copps Coliseum, and that this position be posted and filled.
5. (a) Approval of the establishing of the position of Junior Architect, City Architect's Department, Salary Schedule 112: \$23,769.20; \$24,619.92; \$25,591.80; \$26,770.64; \$28,149.16 per annum.  
This position to be posted and filled.  
(b) That the City Architect be authorized to negotiate the services of an Architectural Student each year on a yearly basis.

(c) With the approval of the foregoing, the position of Engineer II, Salary Schedule 115: \$29,168.88; \$30,483.96; \$31,855.20; \$33,288.84; \$34,786.96 per annum, be deleted from the staff quota of the City Architect's Department.

6. Approval of the reclassification of the position of Stenographer IV, Salary Schedule E-2, in the Purchasing Division of the Treasury Department, to Stenographer III, Salary Schedule E-3: \$319.46; \$331.09; \$345.14 per week.
7. That the following Dental and Health Benefits be provided to the full-time salaried staff of the Convention Centre, Hamilton Place and the Parking Authority:
  - (i) In connection with Dental Care that the 1985 O.D.A. rates apply every two (2) years.
  - (ii) Under Eye Care the benefit for glasses be increased from \$50.00 to \$65.00 every two (2) years.

These benefits are in keeping with the benefits provided all civic employees, and have been approved by the respective Boards.

The above rates to be effective as of June 25, 1985.  
In return for these benefits the Unemployment Insurance Rebate for each employee is to be applied to the cost of these benefits.

8. That the Report recommending Fair Equitable Salary Ranges for 1986, as prepared by Currie, Coopers & Lybrand, Management Consultants, dated September 3, 1985, be adopted and implemented.

NOTE: Should there be any debate on this item, the Committee recommends that it be done in camera.

9. Approval of the Memorandum of Agreement between The Corporation of the City of Hamilton and The Civic Employees of the International Union of Operating Engineers, Local 772, A.F.L., C.I.O., C.L.C., attached hereto as Schedule "B".



10. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to September 11, 1985, attached hereto as Schedule "C".

Respectfully submitted,

ALDERMAN P. COWELL, CHAIRMAN,  
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary  
1985 September 18

Schedule "A" referred to in Section 2 of the Tenth Report of the Personnel Committee  
HAMILTON FIRE DEPARTMENT

LETTER OF UNDERSTANDING AND AGREEMENT  
REGARDING THE LOAN/AND USE OF H.F.D. EQUIPMENT

This is to acknowledge receipt for the following item(s) hereby known as "said equipment", which is/are on a temporary loan from the HAMILTON FIRE DEPARTMENT TO

(name of person and organization)

It is agreed and understood that the said equipment will be returned to  
of the Hamilton Fire Department by no later than

(day, month, year)

It is further agreed and understood that the undersigned borrower agrees to pay for any damage or loss to said equipment, as determined by the Chief of the Hamilton Fire Department, however caused, during the term of this temporary loan.

It is understood that the said equipment is not to be loaned to any other individual, or organization without the expressed written permission of the HAMILTON FIRE DEPARTMENT.

It is understood that the HAMILTON FIRE DEPARTMENT and/or THE CORPORATION OF THE CITY OF HAMILTON are to be held harmless from any matter(s) or action(s) arising from use of the said equipment and that the undersigned borrower of said equipment assumes any and all responsibility regarding its use.

DESCRIPTION OF BORROWED EQUIPMENT

QTY	ITEM

I hereby agree that the above equipment was received in good working order:

DATED this                      day of                      , 19                      .

\* HAMILTON FIRE DEPARTMENT

\* BORROWER OF EQUIPMENT

\* WITNESS

\* Note: After signatures have been affixed, legal seals are to be placed over the asterisks (\*) following the signatures above. The original copy is to be forwarded to the Divisional Chief of Administration and a duplicate copy is to be given to the borrower.

This Memorandum of Agreement made this 16<sup>th</sup> day of September, 1985

BETWEEN THE NEGOTIATING COMMITTEES OF;

THE CORPORATION OF THE CITY OF HAMILTON

AND

THE CIVIC EMPLOYEES OF THE INTERNATIONAL UNION OF  
OPERATING ENGINEERS, LOCAL 772, A.F.L.  
C.I.O., C.L.C.

- (i) The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- (ii) The undersigned representatives of the parties agree to recommend unanimous acceptance of all the terms of this Memorandum to their respective principals.
- (iii) The parties herein agree that the term of the Collective Agreement shall be August 1, 1985 to July 31, 1986.
- (iv) The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from August 1, 1984 to July 31, 1985 together with the following amendments and provisions.
- (v) The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto unless specifically provided otherwise.

The following are the amendments referred to in Item V above:

1. Article 6 - Shift Differential

6.4 Amend shift premium from \$.40 to \$.45.

6.8 Amend weekend premium from \$.45 to \$.50

2. Article 9 - Statutory Holidays

9.1 Amend last paragraph as follows:

"Such half (1/2) day shall be effective for new employees only if the new employee has completed thirty (30) working days prior to the working day immediately before Christmas Day."

3. Article 10 - Sick Leave, Pension and Group Medical & Hospitalization Plans

10.3 Increase vision care from \$50.00 every two years to \$65.00 every two years.



10.4 Amend by replacing 1984 O.D.A. Schedule with "current O.D.A. Schedule".

10.5 Add new clause as follows:

"The Union agrees that the Employer may allocate the Unemployment Insurance Premium Rebate received for each employee towards the annual cost of benefit plans."

4. Article 19 - Health & Welfare

19.4 Amend meal allowance from \$4.50 to \$5.00

5. The Union agrees that all legal citations in the agreement between the parties shall be updated to reflect the current applicable citations.

6. Article 24 - Duration of Agreement

Amend Agreement to reflect contract from August 1, 1985 to July 31, 1986.

7. Tool kits shall be issued to Maintenance Men. All tool kits remain the property of the Corporation; and lost, stolen or broken tools shall be replaced with tools of the same quality by employees at the employee's expense. Tool kits will be checked by management every three (3) months and necessary replacements made at that time.

8. Schedule "A"

a) That the Maintenance Engineer III, Salary Schedule M12, (4), be classified as Maintenance Man II, Salary Schedule M15.

b) That the newly created positions of:

Electrical/Electronic Technician  
Refrigeration/A.C. Technician  
Maintenance Repairman  
Arena Maintenance Man I  
Arena Maintenance Man II

be included in Schedule "A" of the Collective Agreement between the parties in accordance with Article 1.2 of the Collective Agreement.

c) Increase rates in Schedule "A" (as it presently exists in the current agreement - attached), by 4.25% effective August 1, 1985.



ENTERED INTO THIS 16<sup>th</sup> DAY OF September, 1985, ON BEHALF OF:

THE CORPORATION OF THE  
CITY OF HAMILTON

THE CIVIC EMPLOYEES  
OF THE INTERNATIONAL UNION OF  
OPERATING ENGINEERS, LOCAL 772,  
A.F.L., C.I.O., C.L.C.

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SCHEDULE "A"

JOB CLASSIFICATIONS AND RATES OF PAY

LOCAL 772

COVERED BY THE ATTACHED AGREEMENT

<u>CLASSIFICATION</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE AUGUST 1/84</u>
Maintenance Man I	M-16	\$13.208
Maintenance Man II	M-15	\$12.392
Maintenance Engineer III	M-12	\$12.039
Operator (3rd Class Stationary Engineer)	M-12	\$12.039
Maintenance Man III	M-11	\$11.985
Maintenance Man IV	M-10	\$11.632
Maintenance Engineer IV	M-10	\$11.632
Operating Engineer IV	M-8	\$11.323
Handyman I	M-8	\$11.323

SCHEDULE "C" referred to in Section 10 of the Tenth Report  
of the Personnel Committee

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Bernardo Agro	Building Inspector	Building	additional staff as approved	A-12	\$519.09 per week	July 15/85
Mr. Carmelo Alaimo	Truck Driver/Labourer (Litter Containers)	Public Works	replacing Peter Hickey - transferred	D-7 & D-5	\$10.627 & \$10.506 per hour	July 16/85
Ms. Patricia Bennett	Executive Secretary	Ham. Ent. and Con. Fac. Inc.	new position as approved	112	\$26,770.64 per annum	July 1/85
Mr. Linas Biekša	Program Organizer	Culture and Recreation	returning to permanent position (was replacing Monty Schwendiman - off sick)	A-7	\$504.52 per week	July 1/85
Ms. Tina Bodden	Stenographer I	City Clerk's	replacing Betty Goddard - promoted	E-5	\$389.71 per week	July 22/85
Mr. George Caetano	House Plan Examiner and Draftsman	Building	replacing John Ivezic - promoted	A-8	\$434.52 per week	July 22/85
Mr. Franco Calvise	Concrete Finisher (Districts)	Public Works	correcting Personnel Department records	D-8	\$10.882 per hour	July 1/85
Miss Joyce Collins	Clerk Typist I	Treasury	replacing Paula Kita - transferred	E-3	\$319.46 per week	July 15/85

Prepared August 12, 1985

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Jill DeSantis	Personnel Clerk II	Personnel	replacing Loretta Woodworth - resigned & Laurel LaChance - promoted	108	\$20,789.08 per annum	July 29/85
Mrs. Lilliana DiBiagio	Keypunch Operator I	Treasury	replacing Bente Nielsen - resigned	E-3	\$319.46 per week	Aug. 6/85
Mr. Alan Dore	Tractor Operator and Labourer	Parks Division of Public Works	replacing Louis Delfiocco - transferred	D-9 & D-5	\$10.937 & \$10.706 per week	July 1/85
Mrs. Gayle Fawcett	Stenographer III	Building	additional staff as approved	E-3	\$331.09 per week	July 22/85
Mr. Larry Friday	Accountant III (Treasury)	Treasury	replacing M. B. Chandra Shekar - promoted (note - correction from last Report - was reported as temporary when in fact this is a permanent promotion)	A-12	\$519.09 per week	June 24/85
Mrs. Betty Goddard	Executive Secretary	Convention Centre	replacing Patricia Bennett - promoted	106	\$23,352.16 per annum	July 8/85

Prepared August 12, 1985



**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Miss Janice Goodwin	Invoice Checking Clerk I	Treasury	replacing Tina Bodden - promoted	E-4	\$350.68 per week	Aug. 5/85
Ms. Carolyn Hay	Occupational Therapist	Personnel	new position as approved	115	\$29,168.88 per annum	Oct. 7/85
Miss Laurel LaChance	Receptionist /Secretary	Convention Centre	replacing Deborah Marsh - transferred	102	\$13,552.76 per annum	July 22/85
Miss Anna Latoszek	Curator-Whitehern	Dundurn Division of Culture Recreation	replacing George Harrod - resigned	112	\$23,769.20 per annum	July 1/85
Mrs. Joanne Maki	Stenographer III	Building	additional staff as approved	E-3	\$331.09 per week	July 22/85
Mr. Brian Malone	Assistant Traffic Operations Engineer	Traffic	replacing Hart Solomon - promoted	117	\$34,344.44 per annum	Aug. 6/85
Mrs. Barbara Noble	Personnel Clerk II	Personnel	replacing Jill DeSantis - transferred	108	\$19,128.72 per annum	July 29/85
Mrs. Elaine Noonan	Clerk-Title Searcher	City Solicitor's	replacing Joan Douglas - retired	A-5	\$414.92 per week	July 29/85

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Sandra Tucker	House Plan Examiner and Draftsman	Building	replacing John Ivezić - promoted	A-8	\$434.52 per week	July 29/85
Mr. Thomas Warburton	Garbage Truck Driver	Public Works	replacing John Bryan - retired	D-9	\$10.937 per hour	July 15/85

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mrs. Bertilla Agresta	Typist Clerk II	Culture and Recreation	resigned	6 months	July 19/85
Mr. Robert Dell	Firefighter I	Fire	retired	33 years & 8 months	July 31/85
Mr. Robert Gardiner	Firefighter I	Fire	retired	34 years & 1 month	Aug. 10/85
Mr. Martin McLeod	Maintenance Worker	Parking Authority	resigned	1 year & 2 months	Aug. 9/85
Mr. George Traini	Motor Mechanic II (non-certified)	Central Garage Division of Public Works	retired	33 years & 3 months	July 31/85
Mr. Loretta Woodworth	Personnel Clerk III (permanent/part-time)	Personnel	resigned	12 years & 5 months	July 3/85

**THE CORPORATION OF THE CITY OF HAMILTON**  
**APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Linas Bleksa	Community Centre Supervisor (temporary)	Culture and Recreation	replacing Monty Schwendiman - off sick	115B	\$29,168.88 per annum	June 3/85
Ms. Deborah Bourque	Clerk III - Printing & Mailing (temporary)	City Clerk's	replacing Linda Everetts - temporarily promoted	E-1	\$284.76 per week	July 22/85
Miss Pamela Collier	Taxation Clerk IV (temporary)	Treasury	replacing Rose Calcagni - on maternity leave	E-4	\$350.68 per week	July 22/85
Ms. Lynda Everetts	Clerk II - Printing & Mailing (temporary)	City Clerk's	replacing Eleanor Beatrice - on maternity leave	E-2	\$311.62 per week	July 1/85
Mr. Michael Hammond	Program Organizer (temporary)	Culture and Recreation	replacing Mike Castiglione - temporarily promoted	A-7	\$412.21 per week	July 8/85
Miss Janet Haye	Clerk Typist (temporary)	City Clerk's	temporary additional staff as approved	SO-35	\$219.69 per week	May 6/85
Mrs. Paula Kita	Stenographer I (temporary)	Treasury	replacing Ann Novakovic - temporarily promoted	E-5	\$359.11 per week	July 17/85

Prepared August 12, 1985



**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Arthur Pollington	Truck Driver - Provisional (temporary)	Public Works	temporary additional staff	D-7	\$10.827 per hour	July 1/85

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Miss Laurel LaChance	Personnel Clerk III (temp./part-time)	Personnel	resigned	10 months	July 10/85

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. David Biggs	Tree Climber	Parks Division of Public Works	additional staff as approved	D-9	\$10,937 per hour	July 29/85
Mr. Frank Brohman	Captain	Fire	replacing Michael Atkinson - promoted	C-8	\$38,498.61 per annum	Sept. 1/85
Mr. Bradley Calder	Plant & Building Manager	Trade Centre/Arena	new position as approved	119	\$40,460.68 per annum	Sept. 2/85
Mrs. Betty Carter M-17	Stenographer IV	Community Development	replacing Joanne Maki - promoted	E-2	\$299.65 per week	Sept. 2/85
Mr. Stephen Cowie	Tree Climber	Parks Division of Public Works	additional staff as approved	D-9	\$10,937 per hour	July 29/85
Mr. Douglas Downey	Lieutenant	Fire	transferred to Firefighting Div.	C-7	\$35,522.98 per annum	Sept. 1/85
Mr. John Elder	Director of Event Planning/Operations	Trade Centre/Arena	new position as approved	118	\$37,171.16 per annum	Aug. 5/85
Mr. Michael Green	Tree Climber	Parks Division of Public Works	additional staff as approved	D-9	\$10,737 per hour	July 29/85

**THE CORPORATION OF THE CITY OF HAMILTON**  
**APPOINTMENTS IN PERMANENT SERVICE**

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Douglas Hewson	Garbage Truck Driver	Public Works	replacing George Fletcher - promoted	D-9	\$10.937 per hour	Aug. 12/85
Mr. Joel Hines	Operations Engineer	Trade Centre/Arena	new position as approved	115	\$34,786.96 per annum	Aug. 19/85
Mr. Kenneth Morris	Labourer	Cemetery Division of Public Works	transferred as per employee's request	D-5	\$10.706 per hour	July 29/85
Mr. Robert Mueller	Firefighter I	Fire	transferred to Firefighting Div.	C-5	\$32,835.69 per annum	Sept. 1/85
Ms. Debbie Myers W 1-18	Microfilm Technician I	Treasury	replacing Carol Riseing - promoted	E-2	\$299.65 per week	Aug. 26/85
Ms. Joan Mills	Secretary to Director of Finance and Administration	Ham. Ent. & Con. Fac. Inc.	new position as approved	111	\$22,843.60 per annum	Aug. 12/85
Miss Lise Poulin	Typist Clerk II	Public Works	replacing Joyce Collins - promoted	E-2	\$299.65 per week	Aug. 12/85
Ms. Susan Riley	Stenographer I	City Solicitor's	replacing Elaine Noonan - promoted	E-5	\$359.11 per week	Aug. 12/85

Prepared September 11, 1985



**THE CORPORATION OF THE CITY OF HAMILTON**  
**APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mrs. Carol Riseing	Personnel Clerk III	Personnel	replacing Barbara Noble - promoted	107	\$17,066.92 per annum	Aug. 12/85
Miss Christine Shepherd	Stenographer IV	City Solicitor's	replacing Susan Riley - promoted	E-2	\$299.65 per week	Aug. 12/85
Ms. Mary Joyce Walton	Records Clerk	City Clerk's	replacing Deborah Geroux - promoted	E-4	\$350.68 per week	Aug. 19/85
Tom Warburton	Motor Mechanic Helper	Public Works	additional staff as approved	D-9	\$10.937 per hour	Aug. 12/85

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mrs. Linda Dolling	Control Room Clerk	Parking Authority	resigned	2 years & 1 month	Aug. 27/85
Mrs. Isabella Donnelly	Stenographer IV	Purchasing Division of Treasury	retired	11 years & 5 months	Aug. 30/85
Mr. Douglas Harrington	City Surveyor	City Architect's	retired	33 years & 11 months	Aug. 30/85
Mr. Clifford Ladouceur	Tree Climber	Public Works	resigned	23 years & 11 months	July 31/85
Mr. Vittorio Pellegrini	Concrete Finisher & Labourer	Public Works	resigned	13 years & 2 months	July 31/85
Mr. Leslie Selby	Director of Systems & Data Processing	Treasury	retired	17 years & 2 months	Aug. 30/85
Mr. Thomas Stewart	Lieutenant	Fire	retired	30 years & 2 months	Aug. 31/85

Prepared September 11, 1985

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Michael Berghegen	Market Cleaner (temp./part-time on call)	Market Division of City Clerk's	replacing Kay Clark - resigned	B-2	\$9.142 per hour	Aug. 13/85
Mrs. Irene Tutert	Personnel Clerk III (temporary)	Personnel	vacation relief	107	\$9.000 per hour	Aug. 19/85

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mrs. Betty Carter	Stenographer IV (temporary)	Building	resigned	3 months	Aug. 30/85
Mr. Lorne Parr	Student at Law (temporary)	City Solicitor's	terminated	11 months	Aug. 30/85
Ms. Christine Shepherd	Personnel Clerk III (temp./part-time)	Personnel	resigned	5 months	Aug. 9/85







## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance Committee presents its SIXTEENTH Report for 1985 and respectfully recommends:

1. Approval of the awarding of the following contracts:

(a) ALTRUCK TRANSPORTATION SERVICES, Hamilton, Ontario.

Supply and delivery of Three Garbage Packers Complete with Trade-ins, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

- i) One (1) International Model 1954 Chassis with E-Z Pack HC-250-201 Packer Body  
Complete..... \$62,882.22  
Less trade-in allowance on  
Vehicle #9114..... 3,650.00  
Price less trade-in..... 59,232.22  
Ontario Retail Sales Tax 7% .... 4,146.26  
License Transfer..... 5.00  
TOTAL \$63,383.48
- ii) One (1) International Model 1954 chassis with E-Z Pack HC-250-201 Packer Body  
Complete..... \$62,473.98  
Less trade-in allowance  
on Vehicle #9125..... 4,500.00  
Price less trade-in..... 58,382.22  
Ontario Retail Sales Tax 7%.... 4,086.76  
License Transfer..... 5.00  
TOTAL \$62,473.98
- iii) One (1) International Model 1954 Chassis with E-Z Pack HC-250-201 Packer Body  
Complete..... \$62,882.22  
Less Trade-in allowance  
on Vehicle #9126..... 7,850.00  
Price less trade-in..... 55,032.22  
Ontario retail Sales Tax 7%.....\$3,852.26  
License transfer..... 5.00  
TOTAL \$58,889.48

NOTE: Lowest of 12 acceptable tenders. Funds provided in Depreciation Account 0280-01.

(b) FANOTECH INDUSTRIES INC., Bracebridge, Ontario.

For the supply and installation on City Owned Chassis of One (1) Peabody HC-250-25 Garbage Packer Body in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of.....\$26,728.00

NOTE: Lowest of six tenders. Funds provided in the Depreciation Account 0280-01.

(c) ALTRUCK TRANSPORTATION SERVICES, Hamilton, Ontario

Supply and delivery of Five (5) Garbage Packers Complete in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Five (5) International 1954 Chassis with E-Z Pack Garbage Packer Bodies Mounted at \$62,882.22 Each.....	\$314,411.10
Ontario Retail Sales Tax 7%.....	22,008.78
	<u>\$336,419.88</u>

License Plates Extra.

NOTE: Lowest of 12 acceptable tenders. Funds provided in Depreciation Account 0280-01.

2. Approval of a grant of \$1,000 to the Argyll and Sutherland Highlanders of Canada, to assist in defraying costs associated with the staging of a reunion on the occasion of the 40th Anniversary of the Second World War. This reunion involving approximately 1,000 participants will be held on October 4 and 5, 1985.

This grant to be financed by an appropriate transfer from Account No. 0374-1000 Convention/Reception Grants.

3. Approval of a grant of \$250.00 to Mrs. Chantal Ratcliffe to assist in defraying costs of organizing a Student Exchange between Hamilton, Ontario and Nancy, France.

This grant to be charged to Unclassified Account No. 0378-27XX.

NOTE: This grant is being recommended on the understanding that this exchange will be coordinated with the Ministry of Citizenship and Culture.



4. That the estimated amount of \$15,000 to retain the firm of Weir and Foulds with respect to the claim of Anthony Butler et al, for additional fees for architectural services performed in respect of the Library Farmers' Market be financed by approval of an overdraft in Account No. 0325-0156 - Consultants Fees - City Solicitor's Department.

NOTE: Section 20 of the Twenty-Fifth Report of the Planning and Development Committee makes reference to this matter and requests the Finance Committee to recommend the method of financing.

5. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct a concrete alleyway in the block bounded by Britannia and Paling Avenues, south limit of the Water Works Pipeline and Strathearne Avenue at an estimated cost of Owner's share of \$23,462.40, as well as City's share of \$28,737.60, by the issuance of debentures totalling \$52,500.00 for a period not to exceed 15 years; and further that application be made to the Regional Municipality of Hamilton-Wentworth for permission to issue debentures in the total amount of \$52,200.00 for a term not to exceed 15 years for the above subject.

NOTE: Section 30 of the Sixteenth Report of the Transport and Environment Committee makes reference to this matter and requests the Finance Committee to recommend the method of financing.

6. That outstanding realty and business taxes, in the amount of \$15,966.79 be written-off in accordance with Section 495 of the Municipal Act, R.S.O. 1980 and charged to Account No. 0378-0688, Tax Write-Offs.

NOTE: Detailed information respecting these write-offs maybe obtained by contacting the Secretary, Finance Committee or the Treasurer.

7. (a) That a lease satisfactory to the City Architect, the City Treasurer and the City Solicitor relative to the rental of space in the Central Public Library Building to McMaster University and Mohawk College Applied Arts and Technology be approved.

Copies of the draft lease were previously forwarded to the members of City Council. Additional copies if required, can be obtained by contacting the Secretary, Finance Committee.

- (b) Approval of the requests from McMaster University and Mohawk College for an exemption from Central Utilities Plant charges for the operation of the Education Centre in the Central Public Library Building for the years 1984 and 1985.
  - (c) That the exemption of these institutions from the 1985 Central Utilities Plant charges, estimated at \$11,000.00, be financed within the accounts of the Central Utilities Plant. The 1984 charges of \$10,291.83 have already been financed in this manner and have been absorbed in the 1984 year end surplus.
  - (d) That the 1986 Central Utilities Plant costs be estimated and budgeted within the grants portion of the 1986 budget and that subsequent years' costs be handled in a similar fashion for consideration on an annual basis.
8. (a) That Item 3 (c) of the Eighth Report of the Finance Committee adopted by City Council at its meeting on April 24, 1984 which provided for the Auditing Services for the Corporation of the City of Hamilton to be tendered every 3 year period, be rescinded.
- (b) That the Auditing Services for the Corporation of the City of Hamilton be tendered every six year period commencing with the year 1986, to coincide with consecutive terms of office of City Council

NOTE: For the information of the members of City Council, the Finance Committee has authorized the Treasurer to advertise in the Hamilton Spectator, a proposal call for Auditing Services for a six year term starting in 1986 for the Corporation of the City of Hamilton and its Local Boards, and the Hamilton Hydro Electric System.

Copies of the specifications for the proposed call can be obtained from the Secretary, Finance Committee or Treasurer.

9. That the Treasurer be authorized and directed to make applications for applicable grants for the following projects previously authorized by City Council on May 28, 1985, with the adoption of Item 17 of the Eighth Report of the Parks and Recreation Committee and Item 6 of the Tenth Report of the Finance Committee.
- (a) Mountain Arena - additional fire exits and alarm system required by Ontario Fire Code..\$118,000.00
  - (b) Hill Park Recreation Centre
    - Roof Replacement.....\$ 35,000.00
10. That leave be granted to introduce the following bill:
- (a) Bill No. F-32: A by-law to confirm proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

Alderman D. Gray,  
Chairman  
Finance Committee

J. J. Schatz  
Secretary  
1985 September 19  
/dg





HAMILTON PUBLIC LIBRARY

SEP 20 1985

GOVERNMENT DOCUMENTS

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

To Authorize:

1. The construction of local improvements on a concrete alley in the block bounded by Campbell Avenue, Rosslyn Avenue, Cannon Street and Kensington Avenue, as described in Schedule "A";
2. The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 10 of the 2nd Report of the Finance Committee and Item 40 of the 1st Report of the Transport and Environment Committee, both on the 29th day of January, 1985;

AND WHEREAS the Council has procured to be made reports, estimates and statements for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 27th day of June, 1985 issue Order No. E 850141 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of a concrete alley in the block bounded by Campbell Avenue, Rosslyn Avenue, Cannon Street and Kensington Avenue; and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$46,500.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$46,500.00.
2. The share or portion of the estimated cost of the works in the amount of \$16,640.40 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:

- (a) to the extent sufficient to provide an amount not exceeding \$46,500.00; and
- (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.

4. The Commissioner of Regional Engineering is hereby authorized to:

- (a) prepare all necessary plans, specifications and reports required for the construction of the works; and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 24th day of September, A.D. 1985.

City Clerk

Mayor

(1985) 2 R.F.C. 10, January 29

(1985) 1 R.T.E.C. 40, January 29

SCHEDULE "A"

The Construction of a CONCRETE ALLEYWAY in the block bounded by Campbell Avenue, Rosslyn Avenue, Cannon Street and Kensington Avenue, at the costs not exceeding those set out below:

City's Share	\$29,859.60
Owners' Share	<u>16,640.40</u>
Total Estimated Cost	<u><u>\$46,500.00</u></u>

Estimated Cost per metre frontage: \$40.00

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

To Authorize:

1. The construction of local improvements as follows:
  - (a) Finished Roadway on Grace Avenue;
  - (b) Concrete Alley between Smith Avenue and Leeming Street; and,
  - (c) Concrete Alley in the block bounded by Cumberland, Cedar, Afton and Balsam Avenues;as described in Schedule "A";
2. The special assessment to pay a portion of the cost, upon petition, made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Items 7, 8 and 10 of the 18th Report of the Finance Committee and Items 12 and 13 of the 15th Report of the Transport and Environment Committee, both on the 25th day of September, 1984;

AND WHEREAS the Council has procured to be made reports, estimates and statements for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 8th day of January, 1985, as amended on the 11th day of July, 1985, issue Order No. E 841162, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of:
  - (i) a finished roadway on Grace Avenue;
  - (ii) a concrete alley between Smith Avenue and Leeming Street; and
  - (iii) a concrete alley in the block bounded by Cumberland, Cedar, Afton and Balsam Avenues; and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$91,500.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$91,500.00.



2. The share or portion of the estimated cost of the works in the amount of \$18,828.80 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton Wentworth:

- (a) to the extent sufficient to provide an amount not exceeding \$91,500.00; and,
- (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.

4. The Commissioner of Regional Engineering is hereby authorized to:

- (a) prepare all necessary plans, specifications and reports required for the construction of the works; and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 24th day of September, A.D. 1985.

City Clerk

Mayor

(1984) 18 R.F.C. 7, 8 & 10, September 25

(1984) 15 R.T.E.C. 12 & 13, September 25

SCHEDULE "A"

The construction of local improvements as follows:

Finished Roadway on:

1. Grace Avenue from Brighton Avenue to Burgess Avenue

Concrete Alleys

2. Between Smith Avenue and Leeming Street, running from Barton Street to south limit of 94 Smith Avenue
3. In the block bounded by Cumberland, Cedar, Afton and Balsam Avenues

at the cost and charges not exceeding those set out below:

City's Share	\$72,671.20
Owners' Share	<u>18,828.80</u>
Total Estimated Cost	<u>\$91,500.00</u>

Estimated Cost per metre	\$130.00 (Item 1)
	\$ 40.00 (Items 2 & 3)

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

TO EXTEND RAVENBURY DRIVE, BY INCORPORATING  
THEREIN A PORTION OF BLOCK "CX", PLAN M-200

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Ravenbury Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Ravenbury Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 24th day of September, A.D. 1985.

City Clerk

Mayor

(1985) 13 R.T.E.C. 44, July 30

SCHEDULE "A"

Part of Parcel 1' Reserves-1, Section M-200

being part of Block "CX", Plan M-200

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Land Titles Division of Wentworth

More particularly described as follows:

PREMISING that the bearings described herein are astronomic and are referred to the northern limit of Ravenbury Drive on a course of North seventy-one degrees, eighteen minutes, thirty seconds West (N 71° 18' 30" W) as shown on the said Plan M-200;

COMMENCING at the northwest angle of said Block "CX";

THENCE South seventeen degrees, one minute West (S 17° 01' W) along the western limit of Block "CX" sixty-six point zero two feet (66.02') to the southwest angle thereof;

THENCE South seventy-one degrees, eighteen minutes, thirty seconds East (S 71° 18' 30" E) along the southern limit of Block "CX", one point zero feet (1.0');

THENCE North seventeen degrees, one minute East (N 17° 01' E) to and continuing in a straight line along an eastern limit of Block "CX", sixty-six point zero two feet (66.02') to an angle therein;

THENCE North seventy-one degrees, eighteen minutes, thirty seconds West (N 71° 18' 30" W) along a northern limit of Block "CX", one point zero feet (1.0') to the point of commencement.

The above-described parcel being shown in heavy outline on Plan RA-H-304 Surveys hereto attached.





THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

TO EXTEND RAVENBURY DRIVE, BY INCORPORATING  
THEREIN BLOCK "A", PLAN M-283

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Ravenbury Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Ravenbury Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 24th day of September, A.D. 1985.

City Clerk

Mayor

(1985) 13 R.T.E.C. 46, July 30

SCHEDULE "A"

Parcel 1' Reserves-1, Section M-283

being all of Block "A", Plan M-283

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Land Titles Division of Wentworth

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 85 -

TO EXTEND REGENT STREET, BY INCORPORATING  
THEREIN PART OF PARCEL "E", PLAN NUMBER 921

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Regent Street by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Regent Street.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 24th day of September, A.D. 1985.

City Clerk

Mayor

(1985) 13 R.T.E.C. 45, July 30



SCHEDULE "A"

Part of Parcel "E", Plan Number 921

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Registry Division of Wentworth (No. 62)

More particularly described as follows:

PREMISING that the bearings described herein are astronomic and referred to the western limit of Parcel "E", according to Orchard Crest Survey, shown on a course of North seventeen degrees, forty minutes, forty-five seconds East (N 17° 40' 45" E) on a Plan 62M-411;

COMMENCING at the southwest angle of the said Parcel "E";

THENCE North seventeen degrees, forty minutes, forty-five seconds East (N 17° 40' 45" E) along the western limit of Parcel "E", a distance of one hundred and ten point seven two feet (110.72') to the southeast angle of Block S, according to Regent Court, registered in the Land Titles Division of the said Land Registry Office as Plan 62M-411;

THENCE South seventy-two degrees, eighteen minutes, forty-five seconds East (S 72° 18' 45" E) along the production easterly of the northern limit of said Block S, one point zero feet (1.0') to the eastern limit of the said Parcel "E";

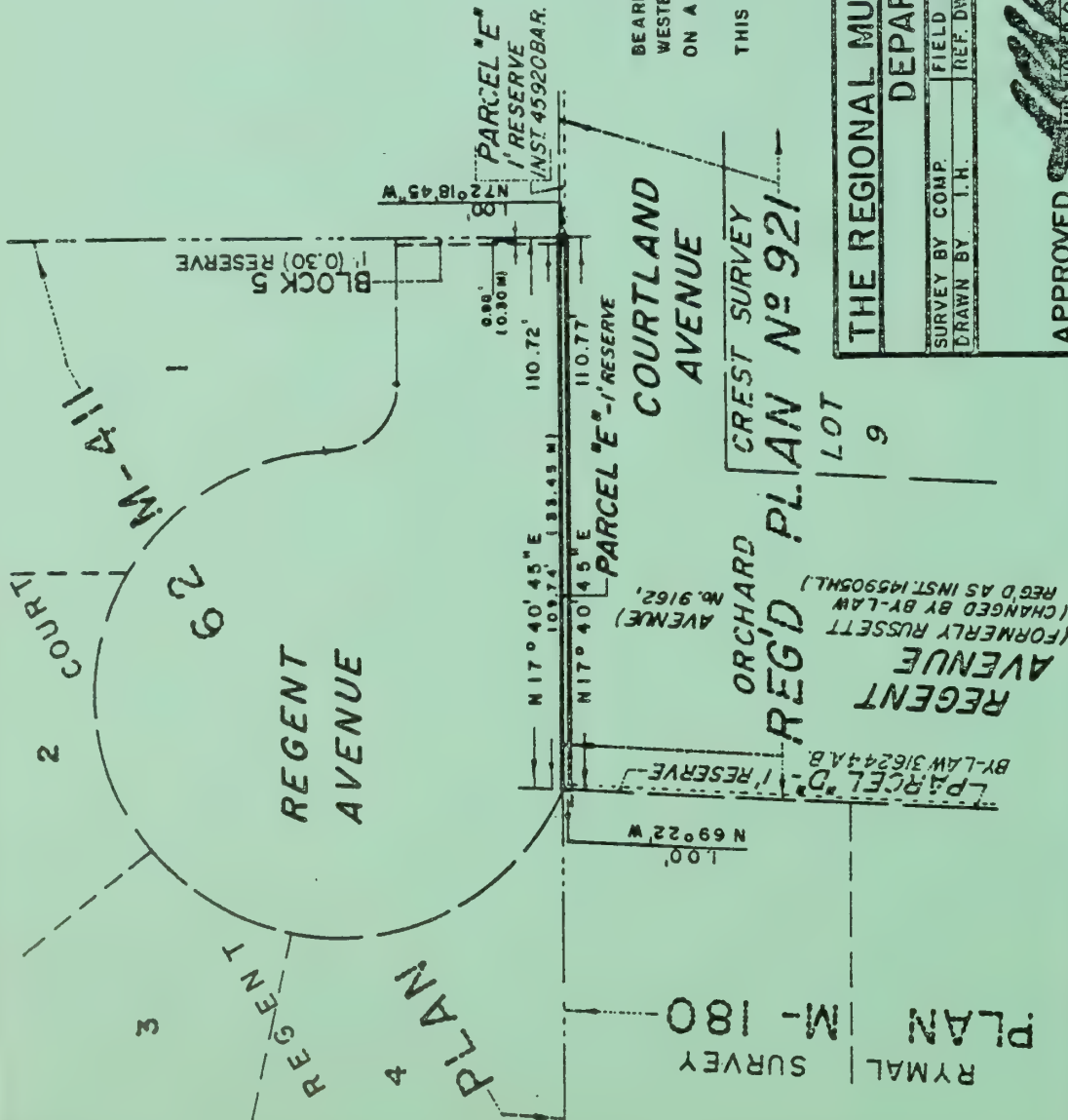
THENCE South seventeen degrees, forty minutes, forty-five seconds West (S 17° 40' 45" W) along the said eastern limit, one hundred and ten point seven seven feet (110.77') to the southeast angle of Parcel "E";

THENCE North sixty-nine degrees, twenty-two minutes West (N 69° 22' W) along the southern limit of Parcel "E" to the point of commencement.

The above-described parcel being shown in heavy outline on Plan RA-H-301 Surveys hereto attached.

SKETCH  
TO ILLUSTRATE DESCRIPTION OF  
PART OF PARCEL "E" - 1' RESERVE  
ORCHARD CREST SURVEY  
REGISTERED PLAN N° 921  
IN THE

CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF  
HAMILTON - WENTWORTH  
SCALE = 1 INCH = 30 FEET  
M.A. CHIDLEY - O.L.S.  
1985



BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE  
WESTERLY LIMIT OF PARCEL "E" - 1' RESERVE, REGISTERED PLAN N° 921  
ON A COURSE OF N 17° 40' 45" E AS SHOWN ON PLAN 62 M-411.

THIS IS NOT A PLAN OF SURVEY O. REG. 564/80 S.21 PART.

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH  
DEPARTMENT OF ENGINEERING

SURVEY BY COMP.	FIELD BOOK	FILE NO.	DATE
DRAWN BY T.H.	REF. DWG. P-1345		JUNE 1985
			CHECKED BY H.S.

APPROVED *[Signature]* REGIONAL SURVEYOR *M.A. Chidley* O.L.S.  
PLAN NO. RA-H-301 SURVEYS

By-law No. 85 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 29 (No Stopping Areas) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Belwood	East	Concession to 42 feet north
Locke	East	Morden to 31 feet south
John	East	Picton to 68 feet south".

PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 16 R.T.E.C. 33, September 24

By-law No. 85 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25 (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended:-

(a) by deleting from Section 5 (One Hour Limit) the following item, namely:-

"Bellwood	East	From 35 ft. north of Concession to 46 ft. northerly".
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and by adding thereto the following item, namely:-

"Belwood	East	commencing at a point 42 feet north of Concession to a point 40 feet northerly".
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(b) by adding to Section 3 (Half Hour Limit) the following item, namely:-

"Tom	North	commencing at a point 39 feet east of Dundurn to a point 24 feet easterly therefrom"
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2. Schedule 26 (No Parking Areas) is hereby amended by adding to Section A (No Parking Anytime) the following item, namely:-

"Guildwood	East and North	commencing at a point 109 feet north of Gilcrest to a point 103 feet northerly therefrom".
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and by deleting therefrom the following item, namely:-

"Belwood	East	Concession to 35 ft. north".
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PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 16 R.T.E.C. 33, September 24



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Designate:

An Improvement Area

GENERALLY COMPRISED OF  
LANDS ON THE EAST AND WEST SIDES OF JAMES STREET NORTH  
BETWEEN THE RAILWAY TRACKS ON THE NORTH  
AND KING WILLIAM STREET ON THE SOUTH

WHEREAS subsection 1 of section 217 of The  
Municipal Act, R.S.O. 1980, Chapter 302, provides that  
the council may pass by-laws designating an area as an  
improvement area;

AND WHEREAS the City Council has declared  
that objections in response to a notice of intention  
to pass a by-law designating the improvement area more  
particularly described in Schedule "A" hereto annexed  
and shown on Schedule "B" hereto annexed, were insuf-  
ficient in that they did not constitute at least one-  
third of the persons entitled to the notice representing  
at least one-third of the assessed value of the land in  
the area that is used as a basis of computing business  
assessment;

AND WHEREAS it is intended to pass a by-law  
designating the said area in accordance with subsection  
1 of section 217 of the said Act.

NOW THEREFORE the Council of The Corporation  
of the City of Hamilton enacts as follows:

1. The area more particularly described in  
Schedule "A" and shown on Schedule "B" is hereby des-  
ignated as an improvement area.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 16 R.P.D.C. 13, May 28

James Street Business Improvement Area

Those lands and premises located in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth in the Province of Ontario and described as follows:

Commencing at the intersection of the westerly production of the south limit of King William Street with the west limit of James Street.

Thence northerly along the western limits of the said James Street in all its courses to its intersection with the south limit of Merrick Street.

Thence westerly along the southern limit of Merrick Street to its intersection with the southerly production of the eastern limit of MacNab Street.

Thence northerly to and along the said eastern limit of MacNab Street to a point distant fifty-six (56) feet measured southerly along the eastern limit of MacNab Street from its intersection with the southern limit of Vine Street.

Thence easterly to a point in the western limit of an alley according to George Burton Survey, Registered Plan No. 262, said point being distant fifty eight point nine six (58.96) feet measured southerly parallel to the eastern limit of MacNab Street from the southern limit of Vine Street.

Thence northerly along the western limit of the said alley and parallel to the eastern limit of MacNab Street fifty-eight point nine six (58.96) feet to the southern limit of Vine Street.

Thence northerly to a point in the northern limit of Vine Street distant ninety one (91) feet measured easterly along the northern limit of Vine Street from the eastern limit of MacNab Street.

Thence northerly parallel with the eastern limit of MacNab Street a distance of forty-eight (48) feet to a point.

Thence westerly parallel with the northern limit of Vine Street a distance of ninety-one (91) feet to a point in the eastern limit of MacNab Street.

Thence northerly along the said eastern limit of MacNab Street a distance of one hundred and thirty-four point four seven (134.47) feet to a point.

Thence easterly sixty-seven point one-two (67.12) feet more or less to a point in the southerly production of the western face of a brick wall, said point being distant one hundred point five seven (100.57) feet measured southerly to and along the said western face of a brick wall and its southerly production thereof from the southern limit of Cannon Street as widened by Instrument No. 188447 C.D.

Thence northerly to and along the western face of the said brick wall a distance of one hundred point five seven (100.57) feet to the southern limit of Cannon Street aforesaid.

Thence easterly along the southern limit of Cannon Street as widened, a distance of one hundred twenty point zero five (120.05) feet to a point in the eastern limit of Lot 12, Block 6 according to David Kirkendall Survey, Registered Plan No. 39.

Thence northerly along the eastern limit of Lot 12 a distance of eight point four one (8.41) feet to the southern limit of Cannon Street according to Plan BA-786 registered as Instrument No. 400467 A.B.

Thence easterly along the last mentioned limit to the north east corner of Lot 13, Block 6, Registered Plan No. 39.

Thence northerly a distance of sixty-six feet more or less to the south east corner of Lot 7, Block 7, Registered Plan No. 39.

Thence northerly along the eastern limit of Lot 7 to the northeast corner of Lot 7 thereof.

Thence westerly along the northern limit of said Lot 7 to its northwest corner thereof, said corner being also the south west corner of Lot 14, Block 7, Registered Plan No. 39.

Thence northerly along the western limit of said Lot 14 and its northerly production to its intersection with the northern limit of Mulberry Street.

Thence westerly along the said northern limit of Mulberry Street to a point distant eighty point six (80.6) feet measured easterly from the eastern limit of MacNab Street.

Thence northerly a distance of fifty-six point three-nine (56.39) feet to a point distant eighty one point one two (81.12) feet measured easterly and parallel with the northern limit of Mulberry Street from the eastern limit of MacNab Street.

Thence easterly parallel with the northern limit of Mulberry Street a distance of seven point four four (7.44) feet to a point.

Thence northerly a distance of twenty-one point nine four (21.94) feet to a point distant ninety point zero eight (90.08) feet measured easterly and parallel with the northern limit of Mulberry Street from the eastern limit of MacNab Street.

Thence northerly a distance of forty-four point three four (44.34) feet to a point in the southern limit of an alley, said point being distant ninety point six seven (90.67) feet measured easterly along the said southern limit of the alley from the eastern limit of MacNab Street.

Thence easterly along the southern limit of the said alley a distance of twenty nine point two nine (29.29) feet to its intersection with the southerly production of the western limit of the alley.

Thence northerly along the western limit of the alley a distance of seventy-eight point five (78.50) feet to an angle therein.

Thence easterly along the northern limit of the alley to its intersection with the southerly production of the western limit of Severn Street.

Thence northerly along the western limit of Severn Street and its northerly production to its intersection with the northern limit of Colbourne Street.

Thence easterly along the northern limit of said Colbourne Street to its intersection with the division line between Lots 5 and 6 in Block 1 according to Sir A. N. MacNab Survey, Registered Plan No. 127.

Thence northerly along the division line between Lots 5 and 6, a distance of one hundred and one point zero Five (101.05) feet more or less to the southern face of the southern wall of the All Soul's Roman Catholic Church.

Thence easterly along the said southern face of the southern wall of the church and its easterly production to its intersection with the division line between Lot 12 and Lots 1, 2 and 3 in Block 1, said Registered Plan No. 127.

Thence northerly along the last mentioned division line to the southern limit of Barton Street.

Thence northerly a distance of sixty-six feet more or less to the southwest corner of Lot 5 in Block 2, Registered Plan 127.

Thence northerly along the western limits of lots 5, 4, 3, 2 and 1 in block 2, Lots 5, 4, 3, 2 and 1 in Block 3, Registered Plan No. 127 to a point in the southern limit of the lands of Canadian National Railway.

Thence easterly along the said southern limit of the Railway Lands a distance of one hundred and eighty six (186) feet to its intersection with the eastern limit of James Street.

Thence southerly along the eastern limit of James Street to its intersection with the northern limit of Murray Street.

Thence easterly along the northern limit of Murray Street to its intersection with the northerly production of the western limit of an alley running parallel with and located ninety-four (94) feet east of the eastern limit of James Street.

Thence southerly to and along the western limit of said alley to its intersection with the division line between Lots 9 and 10, fronting on east side of James Street, between Barton and Murray Streets, according to an unregistered plan of subdivision known as Ebenezer Stinson Survey.

Thence easterly along the last mentioned division line and its easterly production to its intersection with the division line between Lots 5 and 6 fronting on Murray Street, between James and Hughson Streets, Ebenezer Stinson Survey.



Thence southerly along the last mentioned division line and in a southerly direction to a point in the northern limit of lands owned by the Christ's Church Cathedral.

Thence easterly along the northern limit of the said lands of Christ's Church Cathedral to its intersection with the western limit of Hughson Street.

Thence southerly along the western limit of Hughson Street to the southeast corner of the lands owned by the said church.

Thence westerly along the southern limit of the Church's land a distance of one hundred and twelve (112) feet to a point.

Thence southerly and parallel with the western limit of Hughson Street to a point in the division line between Lots 16 and 17, fronting on Hughson Street between Robert and Barton Streets, according to an unregistered plan of subdivision, J. Hughson Survey.

Thence westerly along the last mentioned division line to the northwest corner of said Lot 16, J. Hughson Survey.

Thence southerly along the western limit of said Lot 16 and its southerly production to its intersection with the southern limit of Robert Street.

Thence easterly along the southern limit of Robert Street to its intersection with the western limit of Hughson Street.

Thence southerly along the said western limit of Hughson Street to the south east corner of the lands owned by Public Works Canada.

Thence westerly along the south limit of the said lands last mentioned to the rear of lot 9, fronting on Hughson Street, between Cannon and Robert Streets, James Hughson Survey.

Thence southerly along the rear of the said Lot 9 and its southerly production to a point in the northern limit of Cannon Street.

Thence westerly along the said northern limit of Cannon Street to its intersection with the northerly production of the eastern face of a brick building known as No. 10 Cannon Street East.

Thence southerly to and along the said eastern face of the said brick building and to and along the western face of a building known as 139, Hughson Street North and its southerly production to its intersection with the northern limit of an alley immediately south of no. 139 Hughson Street North.

Thence easterly along the said northerly limit of the alley to the western limit of Hughson Street.

Thence southerly along the western limit of Hughson Street to its intersection with the division line between lots 1 and 2, fronting on Hughson Street between Wilson and Cannon Streets, according to N. Hughson Survey.

Thence westerly along the last mentioned division line between Lots 1 and 2 to its intersection with the northerly production of the eastern limit of the 'York Street Urban Redevelopment Area'.

Thence southerly to the north-east corner of the said 'York Street Urban Redevelopment Area, said corner being distant one hundred sixty-two (162) feet more or less measured easterly along the north limit of Wilson Street from the eastern limit of James Street.

Thence continue southerly along the eastern limit of the said 'York Street Urban Redevelopment Area' and its southerly production to a point in the north limit of Lot 56, fronting on James Street, between Rebecca and Wilson Streets according to N. Hughson Survey.

Thence westerly along the northern limit of said Lot 56 to a point distant one hundred and one (101) feet from the eastern limit of James Street.

Thence southerly to a point in the northern limit of Rebecca Street, said point being distant ninety-seven point eight (97.8) feet measured easterly along the northern limit of Rebecca Street from the eastern limit of James Street.

Thence southerly to a point distant seventy (70) feet measured northerly from the northern limit of King William Street.

Thence westerly parallel with King William Street to a point distant forty-three feet measured easterly from the eastern limit of James Street.

Thence southerly parallel with the eastern limit of James Street to its intersection with the southern limit of King William Street.

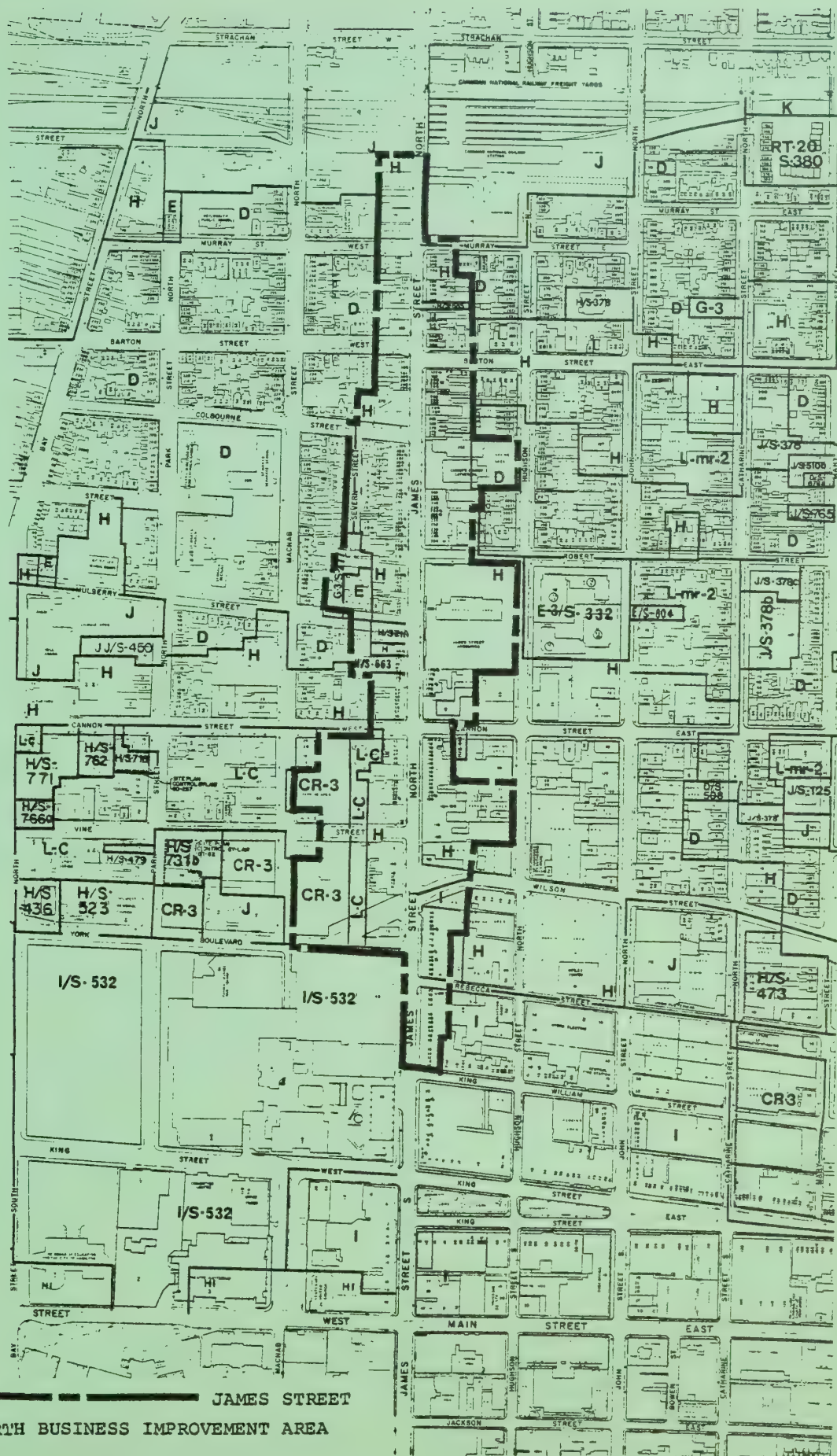
Thence westerly along the said southern limit of King William Street and its westerly production to the point of commencement.



Ontario Land Surveyor

Dated at Hamilton  
this 9th day of May 1985

This is Schedule "A" to By-law No. 85-  
day of , 1985. , passed on the



**JAMES STREET  
NORTH BUSINESS IMPROVEMENT AREA**

This is Schedule "B" to By-law No. 05- , passed on the day  
of , 1985.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Define:

AS A HERITAGE CONSERVATION DISTRICT THE AREA COMPRISED OF  
ST. CLAIR AVENUE BETWEEN MAIN STREET EAST AND DELAWARE AVENUE

WHEREAS subsections 1 and 2 of section 40 of The Ontario Heritage Act, R.S.O. 1980, Chapter 337 provide as follows:

(1) The council of a municipality may by by-law define the municipality or one or more areas thereof as an area to be examined for future designation as a heritage conservation district and the council may, after such examination is completed, prepare official plan provisions with respect to such designation.

(2) Where the council of a municipality has established a local advisory committee under section 28, such council shall, before passing a by-law to define the municipality or one or more areas as an area to be examined for future designation as a heritage conservation district under subsection (1), consult with its local advisory committee.

AND WHEREAS the Council of The Corporation of the City of Hamilton has established a Local Architectural Conservation Advisory Committee;

AND WHEREAS the said Council has consulted with its Local Architectural Conservation Advisory Committee.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

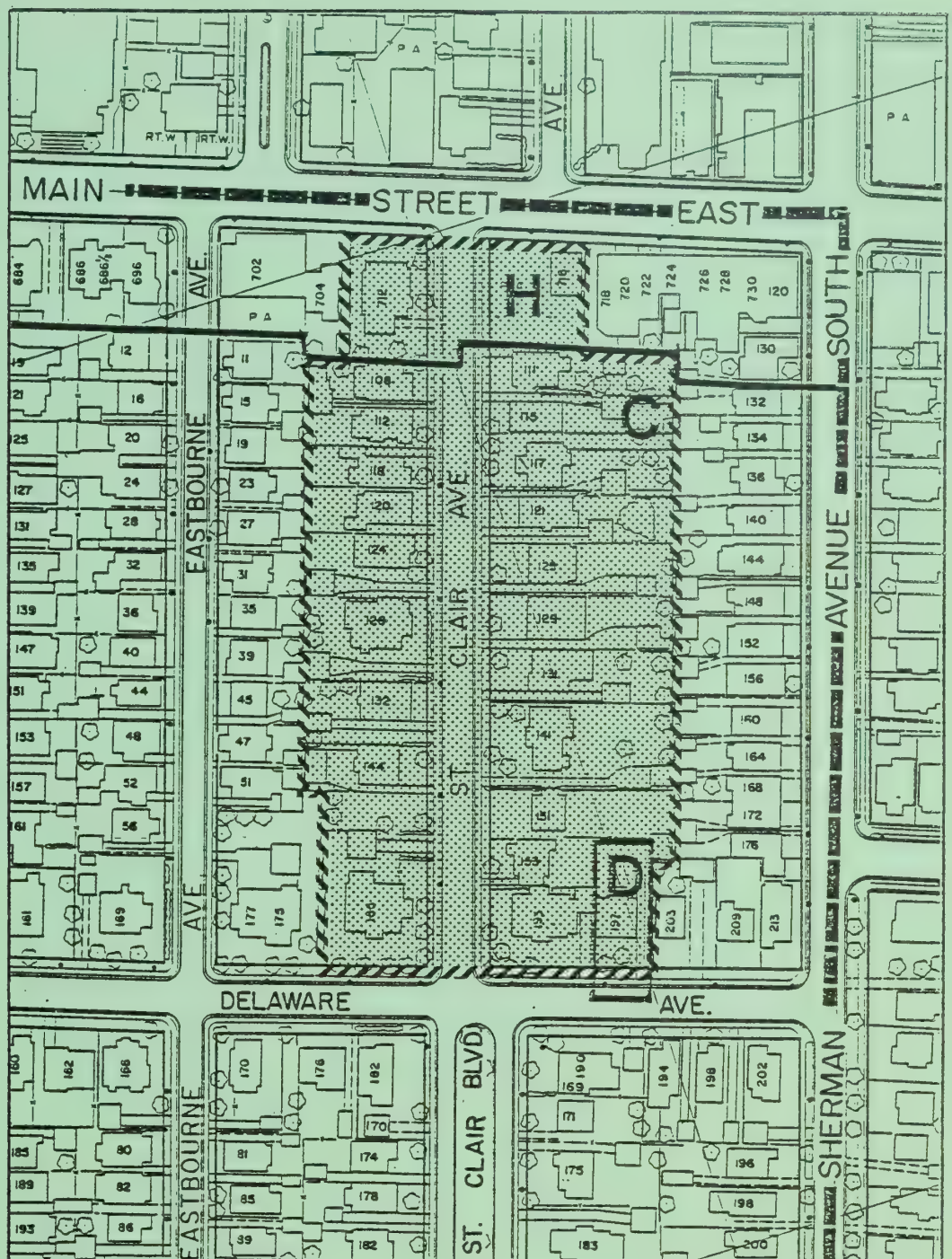
1. The area more particularly shown on schedule "A" hereto annexed and forming part of this by-law, is hereby defined as an area to be examined for future designation as a heritage conservation district.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor





THIS IS SCHEDULE "A" TO BY-LAW NO. \_\_\_\_\_  
PASSED THE \_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON

## SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. \_\_\_\_\_

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend



LANDS SUBJECT TO BY-LAW NO.

North



Scale  
N. T. S.

Date  
85-08-21

Reference File No.  
P5-8-4-5

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 252, 262 and 268 JAMES STREET SOUTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 11A(1) of By-law No. 6593, the following RESIDENTIAL and COMMERCIAL USES and any combination thereof, shall not be prohibited in the buildings existing on the day of the passing of this by-law and in additions to the buildings except as provided in clauses (b) and (c):
  - (i) COMMERCIAL USES:
    - 1. General Offices, Medical Offices;
  - (ii) RESIDENTIAL USES:
    - 1. Multiple dwellings;
- (b) COMMERCIAL USES comprised of medical offices shall be prohibited from any storey exceeding the second storey of an existing building and from any storey exceeding the first storey of a building addition;
- (c) any use other than storage and mechanical rooms shall be prohibited in any basement and from any cellar;
- (d) notwithstanding subsection 11A(2) of By-law No. 6593, no building or structure shall exceed three storeys, or 16.76 m. in height;
- (e) Additions to the buildings shall not exceed 1,400.0 square metres of gross floor area.

- (f) no part of the land abutting James Street South shall be used for vehicle access to or from James Street South;
- (g) no part of the yard adjacent to James Street South shall be used for the parking of vehicles;
- (h) notwithstanding clause 1(g) and clauses 4(a) and (c) of TABLE 1 referred to in clause 18A(1)(a) of By-law No. 6593, a minimum of 31 parking spaces shall be provided and maintained on the land;
- (i) notwithstanding TABLE 3 and TABLE 4 referred to in clauses 18A(1)(c) and (d), a minimum of one loading space having a minimum size of 9.0 m. in length, 3.7 m. in width and 4.3 m. in height, shall be provided and maintained;
- (j) notwithstanding subsection 18A(7) of By-law No. 6593, not more than 5 of the required parking spaces shall have dimensions not less than 2.85 m. wide and 5.0 m. long;
- (k) subsections 18A(11) and (26) and clauses 18(12)(a) and (b) of By-law No. 6593 shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-932".

4. Sheet No. W-6 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-932".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

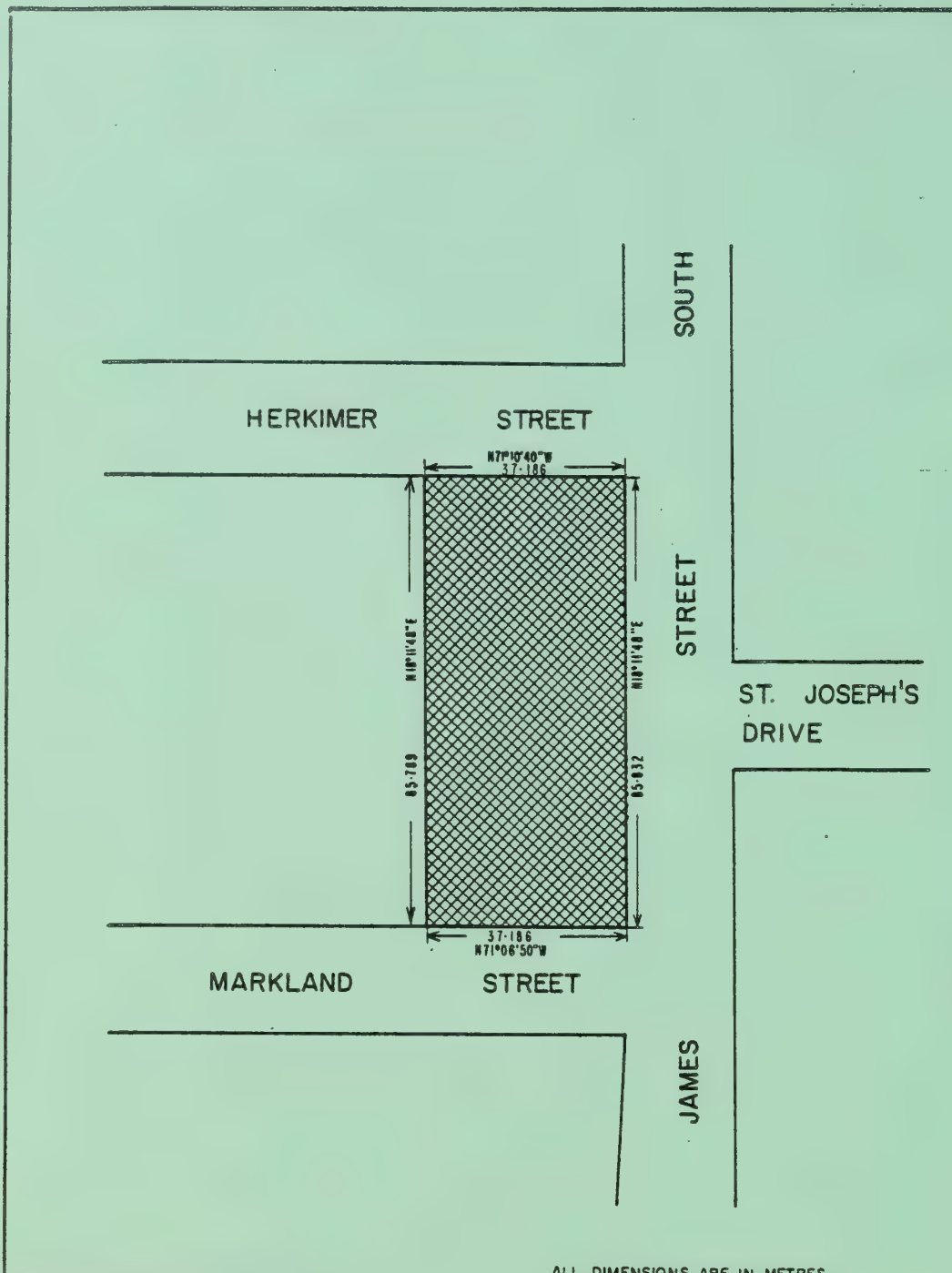
PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 24 R.P.D.C. 9, August 27  
Sam Henson Apartments Ltd., Owner  
ZA-85-50





ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85 -  
PASSED THE      DAY OF

-----  
Clerk

-----  
Mayor

**CITY OF HAMILTON**  
**SCHEDULE "A"**  
**MAP FORMING PART OF**  
**BY-LAW NO.85-**  
**TO AMEND BY-LAW NO.6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



LANDS TO BE REGULATED BY BY-LAW  
NO.85 -

North



Scale  
1 : 1000

Date  
85-09-03

Reference File No.  
ZAB5 - 50

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

By-law No. 79-175

Respecting:

**COST SHARING OF DIVISION FENCES**

**WHEREAS** By-law No. 79-175, passed on the 29th day of May, 1979, in accordance with subsection 354(1) of The Municipal Act, R.S.O. 1970, Chapter 284, (now paragraph 20 of section 210 of The Municipal Act, R.S.O. 1980, Chapter 302), provides for the equal sharing of costs of division fences by adjacent owners;

**AND WHEREAS** it is intended to revise the apportionment of costs as it applies to the installation of fences as hereinafter set forth.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Section 1 of By-law No. 79-175 is amended by adding thereto the following clause:

(aa) "basic cost" means the cost of installing or constructing or reconstructing a division fence of any kind that is an amount of money not exceeding the cost of installing a 4-foot high steel chain-link fence as a division fence if such fence were installed by the owner.

(2) Clause 1(f) of the said by-law is amended by striking out "construction, reconstruction" in the first line.

2. (1) Section 2 of the said by-law is renumbered as subsection 2(1).

(2) Section 2 of the said by-law is amended by adding thereto the following subsections:

(2) The basic cost for a division fence shall be paid as follows:

1. Fifty percent of the basic cost shall be paid by the owner.
2. Fifty percent of the basic cost shall be paid by the adjacent owner.

(3) Any cost in excess of the basic cost shall be paid by the owner.

3. Section 3 of By-law No. 79-175 is repealed and the following substituted therefor:

3. Every owner or adjoining owner who fails to pay his apportioned cost of the work in accordance with section 2, is guilty of an offence and on conviction, is liable to a fine of not more than \$2,000.

4. Section 4 of the said by-law is amended by striking out "summary" in the third line.

5. Section 5 of the said by-law is amended by striking out "1979" at the end thereof.

PASSED this

day of

A.D. 1985.

City Clerk

Mayor

BY-LAW NO. 85 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE Twenty Fourth DAY OF September A.D., 1985

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this TWENTY FOURTH day of September

A.D. 1985

City Clerk

Mayor







CA4 ON HBL AOS  
A31  
1985

MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1985 October 08  
7:30 o'clock p.m.  
Council Chambers  
City Hall

HAMILTON PUBLIC LIBRARY

OCT 07 1985

GOVERNMENT DOCUMENTS

A G E N D A

1. Prayer.
2. Proclamation - World Food Day.
3. Minutes of the meeting held 1985 September 24.
4. Correspondence.
5. Third Reading of Bill No. C-60 - By-law to Adopt a Redevelopment Plan for the Downtown Core Area.
6. Reports of Standing Committees - attached:
  - A Transport and Environment Committee
  - B Parks and Recreation Committee
  - C Planning and Development Committee
  - D Legislation Committee
  - F Finance Committee
  - G Hamilton Arena/Trade Centre Foundation Inc.
7. Notices of Motion for next meeting.
8. First reading of the Bills.
9. Second reading of Bills - Committee of the Whole.
10. Third reading of Bills.
11. Question period.
12. Adjournment.



REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SEVENTEENTH Report for 1985 and respectfully recommends:

1. That an Offer to Purchase a portion of the one foot reserve located on the easterly limits of Mall Road be approved and completed.

NOTE: These lands, which are surplus to the City's needs, have a frontage along the easterly limits of Mall Road of 155.03m (508.629 feet) more or less and comprise an area of 46.4m<sup>2</sup> (499.462 square feet), more or less. The purchase price is \$1.00 since all City and Regional servicing costs have been paid.

Executed by The Roman Catholic Episcopal Corporation of the Diocese of Hamilton, in Ontario on September 17, 1985, the sale is scheduled for closing on or before October 22, 1985.

2. That an Offer to Purchase a portion of the one foot reserve located on the westerly limits of Mall Road be approved and completed.

NOTE: These lands, which are surplus to the City's needs, have a frontage along the westerly limits of Mall Road of 23.623m (77.503 feet) more or less and comprise an area of 7.200m<sup>2</sup> (77.503 square feet), more or less. The purchase price is \$1.00 since all City and Regional servicing costs have been paid.

Executed by The Ukrainian Catholic Episcopal Corporation of Eastern Canada on September 17, 1985, the sale is scheduled for closing on or before November 4, 1985.

3. (a) That an Offer to Purchase the lands of The Corporation of the City of Hamilton, duly executed on July 24th, 1985, by the Purchaser, Abbotsford Homes Limited and scheduled for closing on October 21st, 1985, be approved and completed; and
- (b) That an Option to Purchase the lands of Abbotsford Homes Limited, duly executed on July 24th, 1985 by the Vendor, Abbotsford Homes Limited and scheduled for closing on October 21st, 1985, be approved and completed; and

- (c) That upon the completion of the above two transactions, the Director of Public Works be directed to terminate the existing pathway crossing Abbotsford's property from Upper Wentworth to Crestwood Vocational School and to construct a new pathway on the lands being purchased by the City which lands will form the future street into the Bruleville Neighbourhood.

**NOTE:** The Property referred to in recommendation (a) is composed of a parcel of vacant land located to the rear of Upper Wentworth having a measurement of 33.01 feet by 527.05 feet, save and except the parcel marked as Number 2. The site to be purchased contains an approximate area of 15 840 square feet as shown hatched on Plan SS-500 Surveys.

The purchase price is \$1.00 and the closing of this transaction is conditional upon the closing of the transaction by the City for the purchase of part of Abbotsford Homes Limited lands at 896 Upper Wentworth Street.

The property referred to in recommendation (b) is composed of a parcel of vacant land located on the western limit of Upper Wentworth having a frontage of 66 feet by a depth of 251 feet, more or less from the widened portion of Upper Wentworth, and containing an area of 16 560 square feet being part of Part 1, Plan 62R-3355.

The purchase price is \$1.00. The closing of this transaction is conditional upon the following clauses:

- i. It is understood and agreed that the closing of this transaction being October 21st, 1985, is conditional upon the closing of the transaction between the City of Hamilton and Abbotsford Homes Limited concerning the sale by the City of a parcel of land shown hatched on Plan SS-500 Surveys.
- ii. It is further understood and agreed by the Purchaser that when the Vendor's remaining lands on Upper Wentworth are ready for development, the Purchaser (City) will proceed to pass a by-law to open the subject lands as a public highway. In addition the Purchaser (City) will initiate, at the time of the passing of the by-law to open the road, the construction of all required services to said roadway.
- iii. The Vendor hereby acknowledges and agrees to reimburse the City for its share of the services for said roadway that abuts the Vendor's land. This condition will not merge on closing.



- iv. The Purchaser (City) agrees to allow the Vendor (Abbotsford) to terminate the present pathway crossing Abbotsford's property from Upper Wentworth Street to Crestwood Vocational School and the City shall relocate the same on the property being purchased from Abbotsford.
  - v. The Purchasers (City) agree to allow the Vendor (Abbotsford) or its successors in title, access to the street referred to in (ii) above, at one or more points, as may be agreed to by both parties.
4. That an Option to Purchase the property being the rear portion of Block 1, which fronts along the westerly limit of Upper Paradise Road, executed by Robert Shelley for Robert Shelley Construction Limited on September 16, 1985 and scheduled for closing on November 18, 1985 for the sum of \$1.00 be approved and completed.

NOTE: This property which is required for the extension of Guildwood Drive has a measurement of 80.4 metres (264 feet) by a depth of 10m/7.16m (33 feet/23.5 feet) more or less, with the exact area to be determined by a survey prepared by the Vendor to the satisfaction of the Regional Surveyor.

It is understood and agreed that the subject lands are being deeded to the City of Hamilton as a condition for approval of Zoning Application ZA85-/48 for the property on the west side of Upper Paradise Road in the area north of Megna Court.

5. Approval of the awarding of the agreements to provide Labour and Equipment for Snow Removal, in accordance with terms and conditions issued by the Director of Purchasing and Vendor's Tender, as appended hereto.

NOTE: Term of Agreement shall be from November 10, 1985 to December 31, 1985, together with an option exercisable by the City to extend this Agreement to either April 7, 1986 or April 7, 1987 or April 7, 1988.

The termination date for the initial term is set to coincide with the termination date of the budget for the year 1985. The option will require the approval of the new City Council after the municipal election to be held in November 1985.

Tenders are being accepted on the basis of the lowest bidder's equipment being used first and then the subsequent bidders are contacted for each snow fall.

6. Approval of the awarding of the following contracts:

- (a) To supply Aluminum Traffic Poles in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Guillevin International - \$12 147.12

NOTE: Lowest of 4 tenders. Funds provided in account 0394-3323.

The above has been processed through the emergency procedures of the City of Hamilton purchasing policy, that states "An order can be placed on approval of two of the following: The Mayor, The appropriate Committee Chairman, The Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of Council".

- (b) To supply Aluminum Traffic Poles in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Vallance Brown & Co. Ltd.. - \$14 913.66

NOTE: Lowest of 4 tenders. Funds provided in account 0394-3323.

The above has been processed through the emergency procedures of the City of Hamilton purchasing policy, that states "An order can be placed on approval of two of the following: The Mayor, The appropriate Committee Chairman, The Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of Council".

7. That the owner/developer of the lands located on the west side of Lawnview Avenue, between Lawnhurst Drive and Limeridge Road, be required to reimburse the City of Hamilton, the sum of \$4 480.97 for municipal services, all in accordance with the City's standard policies for the recovery of outstanding costs for municipal services, in order to complete the land division requirements.
8. That the application of Mr. J. Hammond, on behalf of the owner(s) of 123 Peter Street, Elias and Elastheria Thersidis, to retain an encroachment on the road allowance consisting of an existing front porch and stairs, 3.0m (9.84') by 0.68m (2.33') be approved, during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
9. That the application of Mr. R. N. McCreadie, on behalf of the owner(s) of 226 Picton Street, Sandra Patterson and Rosemary Cardoni, to retain an encroachment on the road allowance, consisting of an existing concrete verandah, 0.3m (0.98') by 2.4m (7.87') , be approved during the pleasure of City Council provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
10. That the application of Mr. D. E. Horlacher, on behalf of the owner(s) of 140 Hess Street North, Mr. Antonio Alfano, to retain an encroachment on the road allowance, consisting of an existing front porch and steps, 1.37m (4.49') by 2.44m (8.0'), be approved, during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
11. That the application of Mr. D. W. Walkling, on behalf of the owner(s) of 84 Pottruff Road South, Lloyd George and Donna Lee Larson, to retain the following inadvertent encroachment on the road allowance, consisting of an existing concrete stoop, approximately 1.42m (4.66') by approximately 1.98m (6.50'), be approved, during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.



- (b) An annual fee of \$20 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

12. That the application of Mr. B. J. Inglis, on behalf of the owner(s) of 340 Barton Street East, Clarence Henry Springer, to retain the following inadvertent encroachments on the road allowance of Emerald Street North:

- 1. brick building, 0.12m by 13.72m, and
- 2. concrete block building, 0.02m by 10.67

be approved, during the pleasure of Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

13. (a) That the Commissioner of Engineering be authorized and directed to reconstruct the roadway and sidewalks on West 18th Street between Bendamere Avenue and approximately 70m south of Elmwood Avenue; and

- (b) That the City's portion of the cost of the work which is estimated at \$43 000 be financed from Account 0408-F4172, Macklin Street.

14. (a) That the Commissioner of Transportation be authorized and directed to issue the necessary purchase order to the Public Works Department to complete the reconstruction of the sidewalks on the west side of East 19th Street between Brucedale Avenue and Fennell Avenue; and

- (b) That the cost of this work estimated at \$14 500 be financed from the 1984 Reconstruction Program, Robert Street - Account No. 0408-F4181.

15. (a) That the schedules for the estimated cost of services in "Lake Park Pointe", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and



- (c) That in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

**NOTE:** Clause 10(b) of the Eighteenth Report of the Planning and Development Committee, as adopted by City Council at its meeting held on 1985 June 25, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The presesnt owner of these lands is Van Der Marel Inc.

16. That a "Three Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week, be implemented on the north side of Barlake Avenue in front of the apartment building at No. 75 Barlake.
17. That parking be prohibited on the north side of Lansdowne Avenue between Sherman Avenue North and Lottridge Street.
18. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of East 26th Street between Crockett Street and Queensdale Avenue.
19. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of East 25th Street between Crockett Street and a point 401 feet south of Concession Street.
20. That the existing "No Stopping" corner clearance on the west side of Harmony Avenue, commencing at Barton Street East and extending to a point 75 feet northerly therefrom, be rescinded.
21. That a stopping prohibition be implemented on the south side of Cumberland Avenue, commencing at a point 211 feet east of Sanford Avenue South and extending to a point 68 feet easterly therefrom.
22. That stop signs be erected to control southbound traffic on the easterly and westerly legs of Fiona Crescent at Brigadoon Drive.
23. That a "Commercial Vehicle Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Homewood Avenue, commencing at a point 90 feet west of Dundurn Street South and extending to a point 47 feet westerly therefrom.

24. (a) That approval be given to the removal of approximately 120 feet of the raised center median of Centennial Parkway in front of No. 96 Centennial Parkway, and to the construction and pavement marking of this area as a two-way left-turn lane; and,
- (b) That upon receipt of a cheque in the amount of \$8 220 from Naches Holdings, staff be authorized to proceed with the arrangements for alterations to the center median island and with the relocation of the northerly driveway access to the subject property; and,
- (c) That the above works be subject to Naches Holdings undertaking, in writing, to pay the actual construction cost upon completion of the subject works.

25. That a school crossing guard be installed at the intersection of Kenilworth and Britannia Avenues.

NOTE: The necessary funds are available for 1985.

26. That leave be granted to introduce the following bills:

- (a) A-50 By-law to Close and Sell a portion of Napier Street, from Bay Street North
- (b) A-51 By-law to Amend By-law 66-100 to Regulate Traffic
- (c) A-52 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse, Secretary

1985 September 30  
Attach.

REMOVAL EQUIPMENT RENTAL

REFERRED TO IN SECTION 5 OF THE SEVENTEENTH  
REPORT OF THE TRANSPORT & ENVIRONMENT COMMITTEE.

MOTOR GRADER MOUNTED SNOW PLOW & WING

	<u>85/86</u>	<u>Per Hour</u> <u>86/87</u>	<u>87/88</u>	<u>No. of Units</u>	<u>Size of Blade</u>
Carlo Bros. Limited 35 Lawfield Dr. Hamilton	75.00	76.00	77.00	1	Front - 8'x3' Bottom- 14'x2' Wing - 13'x3'
C.G.L. Grading & Snow Removal 83 Leinster Ave. S. Hamilton L8M 3A4	90.00	93.00	96.00	2	12'
King Paving & Materials Ltd. P.O.Box 699, Burlington	78.00 78.00	83.00 83.00	88.00 88.00	1 1	14' 12'
L7R 3Y5	78.00	83.00	88.00	3	12'
G.F.Mason Excavating Ltd. P.O.Box 6, Fruitland	65.00	69.00	73.00	2	12'
John Donovan Cont. 11 Crockett St., Hamilton	70.00 70.00	75.00 75.00	80.00 80.00	1 1	12' 13'
Sisson Construction/ O/A Quigley Contracting Lot 5, Hendershot Rd Glanbrook LOR 1P0 Box 178 Hannon	86.50	89.50	91.50	2	13'
Vernon Sims Excavating Ltd. Box 98, Hannon, LOR 1P0	78.00	82.00	86.00	4	12'
Stuart Fletcher Exc. Ltd. 11 East 32nd St. Hamilton, Ont.	80.00	85.00	90.00	1	Wing - 12' 13'6"
Delta Ready Mix Limited 1875 Barton St. E. Hamilton, Ontario	85.00	93.00	100.00	1	14'

MOTOR GRADER ONLY

	<u>85/86</u>	<u>Per Hour</u> <u>86/87</u>	<u>87/88</u>	<u>No. of Units</u>	<u>Size of Blade</u>
Vernon Sims Excavating Ltd. Box 98, Hannon, LOR 1P0	74.00	78.00	82.00	4	12'
Sisson Construction/ O/A Quigley Contracting Lot 5, Hendershot Rd. Glanbrook, Ont. LOR 1P0 Box 178, Hannon, Ont.	75.00	78.00	80.00	4	12'
King Paving & Materials Ltd. P.O.Box 699, Burlington L7R 3Y5	78.00	83.00	88.00	2	12'
C.G.L. Grading & Snow Removal 83 Leinster Ave. S. Hamilton, Ont. L8M 3A4	78.00	81.00	84.00	1	12'
590309 Ontario Limited O/A Advance Excavating 125 Gailmont Dr. Hamilton L8K 4B8	75.00 75.00	80.00 80.00	85.00 85.00	1 1	13' 14'

MOTOR GRADER ONLY (CONT'D)Per HourNo. of UnitsSize of Blade Page 285/8686/8787/88

Danbill Equipment Rental Ltd.	83.00	88.00	93.00	1	12'
4 Parkland's Drive	83.00	88.00	93.00	1	13'
Hamilton L8K 4W7					

Wm Groves Limited					
800 Rennie St.					
Box 3474 Stn C					
Hamilton L8H 7M1	77.00	81.60	86.50	1	13'

Dig-it Contractors Ltd.					
4145 Trinity Church Rd.					
R.R.#2 Binbrook LOR 1C0	70.00	73.00	75.00	3	13'

John Vanderkamp Contracting Ltd.					
609 Safari Rd.					
Millgrove LOR 1V0	65.00	66.50	70.00	1	11'

Bond General Construction Ltd.					
780 Rennie St.	60.00	66.00	72.60	1	13'
Hamilton L8H 3R2					

Delmar Contracting Ltd.					
696 Arvin Ave.					
Fruitland LOR 1L0	79.00	84.00	88.00	3	12'

Nelson Excavating Company Ltd.					
150 Brockley Dr.	75.00	80.00	85.00	1	12'
Stoney Creek					

Da-Lee Excavating Ltd.					
350 Jones Rd.	72.00	79.00	86.00	1	12'
Fruitland					

Delta Ready Mix Limited	80.00	88.00	95.00	1	12'
1875 Barton St. E.	80.00	88.00	95.00	1	13'
Hamilton, Ont.	80.00	88.00	95.00	1	14'

TANDEM DUMP TRUCKSPer HourNo. of UnitsYardage of Box85/8686/8787/88

Cardi Construction Limited					
24 Garden Ave.					
Stoney Creek L8E 2Y9	35.00	37.00	39.00	4	20 3/4 Cu. Yds

Roma Concrete & Paving					
2 Hewitson Rd.	32.00	33.00	35.00	1	14 Cu. Yds
Stoney Creek L8E 2T4					

Carmelo Castellano					
22 Imperial St.	33.00	35.00	37.00	1	20 Cu.yds
Hamilton L8L 4E3					

Case Construction Ltd.					
58 Tuxedo Ave. S.	35.00	38.00	41.00	1	19 Cu. Yds.
Hamilton					

Salvatore Lauricella					
274 Rymal Rd. W.	33.00	35.00	37.00	1	20 Cu. Yds.
Hamilton L9B 1D8					

Nu-Way Paving Company					
8029 Twenty Rd. E.	30.00	33.00	36.00	1	14 Cu. Yds.
Hamilton L9B 1P9					



SNOW REMOVAL EQUIPMENT RENTAL

Page 3

<u>TANDEM DUMP TRUCKS (CONT'D)</u>	<u>Per Hour</u>			<u>No. of Units</u>	<u>Yardage of Box</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Giusseppe Gallo 8010 Chippewa Creek, RR#3 Mount Hope LOR 1W0	37.00	40.00	44.00	2	18 Cu. Yds.
Pasinato Haulage Inc. 213 Stone Church Rd. W. Hamilton L9B 1A2	37.00 34.00	39.00 36.00	41.00 38.00	51	{ 20 Cu. Yds 16 Cu. Yds.
E. Hibbard & Sons Ltd. 204 East 25th St. Hamilton L8V 3A5	30.00	31.00	33.00	1	14 Cu. Yds.
Ilija Bubalo Box 37, Group 4, RR2 Stoney Creek L8G 3X5	36.00	38.00	40.00	3	20 Cu. Yds.
Michael A. Breen 43 Main St. Waterdown LOR 2Ho	29.00 29.00 29.00	30.00 30.00 30.00	31.00 31.00 31.00	1 1 1	14 Cu. Yds 14 Cu. Yds 16 Cu. Yds
J & R Trucking P.O.Box 52 Binbrook LOR 1C0	34.00 34.00	36.00 36.00	38.00 38.00	3 1	3 - 14cu yds 1 - 14cu yds
Battaglia Sewer Contractor Ltd. 101 Arbour Rd. Hamilton L8W 2A3	37.00	40.00	43.00	1	14 Cu. Yds
Bob Beleny R.R.#2 Beamsville LOR 1B0 (Michael D. Henderson) Henderson Trucking 23 Ferrie St. E. Hamilton, L8L 3S6	33.00 33.00	34.00 34.00	35.00 35.00	1 1	25 Cu. Yds 16 Cu. Yds
R.G.Duffie Contracting Ltd. 267 Aberdeen Ave. Hamilton, Ont.	38.00	39.00	40.00	1	16 Cu. Yds
Vince Soliveri 44 Heritage Dr. Stoney Creek L8G 4H8	34.00	36.00	38.00	1	16 Cu. Yds
Ezio Costanzo Haulage Div. Ezio's Garage Ltd. 480 Barton St. E. Hamilton, Ont.	38.00 38.00	42.00 42.00	45.00 45.00	1 1	16 1/2 Cu. Yds 16 1/6 Cu. Yds
John Scap 53 McIntosh Ave. Hamilton L9B 1J3	32.00	34.00	36.00	1	20 Cu. Yds
Peter Nikolica 32 Murray St. W. Hamilton	35.00	35.00	36.00	1	18 Cu. Yds
G. Marchese Haulage 30 Melvin Ave. Hamilton	31.00 31.00	32.00 32.00	33.00 33.00	1 1	16 Cu. Yds 18 Cu. Yds
Vince Martino Haulage 151 Kenora Ave Hamilton	31.00	32.00	33.00	1	20 Cu. Yds
E. Woytkiw Haulage Ltd. P.O.Box 4535 Stn D	36.00 34.00	38.00 36.00	40.00 38.00	8 17	20 Cu. Yds 16 Cu. Yds

TANDEM DUMP TRUCKS (Cont'd)	Per Hour			No. of Units	Yardage of Box
	85/86	86/87	87/88		
Vern Schaeffer R.R.#1 Caledonia	34.00	35.00	36.00	1	14½ Cu. Yds
Tony & Paul Concrete 3 Hunter Rd. / Grimsby L3M 4A3	30.00	31.00	31.50	1	17 Cu. Yds
Albert Ciccotti O/A A.C.Paving	35.00	37.00	39.00	1	16 Cu. Yds
596 Barton St. E. Stoney Creek	35.00	37.00	39.00	1	17½ Cu. Yds
J & M Caucci 179 Highridge Ave. Stoney Creek L8E 3L5	30.00	31.00	31.50	1	17 Cu. Yds.
Loro Contracting R.R.#2 Binbrook L0R 1C0	35.00	37.00	40.00	2	20 Cu. Yds
Workman Excavating (Daryl Workman) 2000 Main St. W. Hamilton, L8S 4M8	32.00	34.00	36.00	2	18 Cu. Yds
559814 Ontario Inc. C.O.B. Deluca Haulage & Excavating 46-132 Gailmont Dr. Ham.	37.00	40.00	44.00	3	18 Cu. Yds
Fair Excavating Company Limited 658 Fiddlers Green Rd. R.R.#2 Ancaster	30.00 35.00	33.00 37.00	35.00 38.00	1 2	Single Axle Double Axle
Molisan Construction Co. Ltd 40 Hildegard Dr. Hamilton	38.00	40.00	42.00	1	14 Cu. Yds
482916 Ontario Inc. Luciano Mileli 667 Rymal Rd. W. R.R.#1 Ancaster	36.00	37.00	38.00	1	20 Cu. Yds
Carlo Bros. Limited 35 Lawfield Dr. Hamilton	33.00	34.00	35.00	2	16 Cu. Yds
Stuart Fletcher Exc. Ltd. 11 East 32nd St. HAMILTON, Ontario	45.00	50.00	55.00	1	16 Cu. Yds
Da-Lee Excavating Ltd. 350 Jones Rd. Fruitland	40.00 40.00	44.00 44.00	48.00 48.00	1 1	15 Cu. Yds 16 Cu. Yds
Delmar Contracting Ltd. 696 Arvin Ave. Fruitland	35.00	37.50	40.00	4	18 Cu. Yds

SNOW REMOVAL EQUIPMENT RENTAL

Page 5

<u>TANDEM DUMP TRUCKS (CONT'D)</u>		<u>Per Hour</u>			<u>No. of Units</u>	<u>Yardage of Box</u>
		<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Bono General Construction Ltd.						
780 Rennie Street		36.00	39.60	43.56	2	17 Cu. Yds
Hamilton L8H 3R2		35.00	38.50	42.35	1	16 Cu. Yds
<hr/>						
John Vanderkamp Contracting Ltd.						
609 Safari Rd.		35.00	37.00	39.00	2	15 Cu. Yds
Millgrove LOR 1V0						
<hr/>						
590308 Ontario Ltd.						
O/A Advance Excavating		34.00	36.00	38.00	3	14 Cu. Yds
125 Gailmont Dr.						
Hamilton, Ont L8K 4B8		34.00	36.00	38.00	1	18 Cu. Yds
<hr/>						
Vernon Sims Excavating Ltd.						
Box 98		36.00	40.00	44.00	3	16 Cu. Yds
Hannon LOR 1P0						

<u>RUBBER TIRED LOADERS</u>		<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Bucket (Cu.)</u>
		<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Vernon Sims Excavating Ltd.						
Box 98		42.00	44.00	46.00	4	{ 1½ yd 2 yd
Hannon LOR 1P0		46.00	50.00	54.00		
<hr/>						
590308 Ontario Limited						
O/A Advance Excavating		42.00	44.00	46.00	1	1 yd
125 Gailmont Dr.						
Hamilton L8K 4B8		42.00	44.00	46.00	1	1.3 yd
<hr/>						
John Vanderkamp Contracting Ltd.						
609 Safari Rd.		80.00	85.00	90.00	1	4½ yd
Millgrove LOR 1V0		42.00	43.00	44.00	1	1½ yd
<hr/>						
Bono General Construction Ltd.						
780 Rennie Street		65.00	71.50	78.65	1	3 yd
Hamilton L8H 3R2		42.00	46.20	50.82	1	1½ yd
		55.00	60.50	66.55	1	2 yd
<hr/>						
Delmar Contracting Limited						
696 Arvin Ave		79.00	84.00	88.00	3	3½ yd
Fruitland LOR 1L0		65.00	69.00	73.00	1	2 yd
		60.00	64.00	68.00	1	1½ yd
		60.00	64.00	68.00	1	1 yd
<hr/>						
Da-Lee Excavating Ltd.						
350 Jones Road		45.00	49.50	54.00	2	1½ yd
Fruitland						
<hr/>						
Stuart Fletcher Exc. Ltd.						
11 East 32nd		50.00	55.00	60.00	1	1½ yd
Hamilton		70.00	75.00	80.00	1	3 yd
<hr/>						
Molisan Construction Co. Ltd.						
40 Hildegard Dr		40.00	42.00	44.00	1	1½ yd
Hamilton						
<hr/>						
Fair Excavating Company Ltd.						
658 Fiddlers Green Rd.		55.00	60.00	65.00	1	2½ yd
R.R.#2 Ancaster L9G 3L1		45.00	50.00	55.00	1	1½ yd
<hr/>						
Workman Excavating (Daryl Workman)						
2000 Main St. W.		43.00	45.00	47.00	3	1½ yd
Hamilton L8S 4M8						

RUBBER TIRED LOADERS	Per Hour			No. of Units	Size of Bucket (Cu.)
	85/86	86/87	87/88		
Loro Contracting	45.00	47.00	50.00	1	1½ yd
R.R.#2 Binbrook	56.00	60.00	64.00	1	2½ yd
LOR 1C0	65.00	70.00	75.00	1	3½ yd
<hr/>					
Tony & Paul Concrete					
3 Hunter Rd.	35.00	36.00	36.50	1	1½ yd
Grimsby L3M 4A3					
<hr/>					
R.G.Duffie Contracting Ltd.					
267 Aberdeen Ave.	38.00	39.00	40.00	1	1½ yd
Hamilton, Ont.	40.00	41.00	42.00	1	1½ yd
<hr/>					
Battaglia Sewer Contractor Ltd.					
101 Arbour Rd	38.00	41.00	44.00	2	1½ yd
Hamilton L8W 2A3					
<hr/>					
Case Construction Ltd.					
58 Tuxedo Ave. S.	40.00	43.00	46.00	2	1½ yd
Hamilton, Ont					
<hr/>					
Roma Concrete & Paving					
2 Hewitson Rd.	38.00	40.00	42.00	1	3/4 yd
Stoney Creek L8E 2T4					
<hr/>					
Cardi Construction Ltd.					
24 Garden Ave.	42.00	44.00	46.00	2	1½ yd.
Stoney Creek					
<hr/>					
Crayford Enterprise Ltd.					
912 Rymal Rd. Hamilton	42.00	44.00	46.00	2	1.2 yd
160 Woodburn Rd. Hannon					
<hr/>					
Bill Wilcockson Trenching					
182 East 19th St.	40.00	41.00	42.00	1	1½ yd
Hamilton L9A 4S5					
<hr/>					
Benny Haulage Limited					
66 Hillyard St.	67.00	70.00	74.00	1	3 yd
Hamilton					
<hr/>					
David Coverdale O/A Mountsberg					
Excavating	40.00	44.00	48.00	2	1½ yd
1554 Old Hwy 99, R.R.#3					
Dundas L9H 5E3					
<hr/>					
Beattie Equipment Rentals Inc.					
R.R.#3	44.00	48.00	52.00	1	1½ yd
Puslinch					
<hr/>					
Ancaster Sewer Cont.					
380 Mohawk Rd. W.	34.00	36.00	36.00	2	1½ yd
Hamilton					
<hr/>					
Hamilton Sod Company Ltd.					
R.R.#1, Box 302	45.00	48.00	52.00	1	1 yd.
Mount Hope LOR 1W0					
<hr/>					
Dig-It Contractors					
4145 Trinity Church Rd.	40.00	42.00	44.00	1	1 3/4 yds
R.R.#2					
Binbrook LOR 1C0					
<hr/>					
Nelson Excavating Company Ltd.					
150 Brockley Dr	66.00	70.00	74.00	1	3½ yds
Stoney Creek	45.00	47.00	49.00	2	1½ yds



RUBBER TIRED LOADERS CONT'D

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Bucket (Cu)</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Delta Ready Mix Limited 1875 Barton St. E. Hamilton	80.00	88.00	95.00	1	5 yds
DiFranco Construction 198 West 2nd St. Hamilton	40.00	42.50	45.00	1	1 yd.
E. Woytkiw Haulage Ltd. P.O.Box 4535 Stn D Hamilton L8V 4S7	42.00	45.00	48.00	3	1 - 1 3/4 yd 2 - 1 1/2 yd

WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5'

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Blade</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
E. Woytkiw Haulage Ltd. P.O.Box 4535 Stn D Hamilton L8V 4S7	40.00	43.00	47.00	1	5'
John Donovan Cont. 11 Crockett St. Hamilton	40.00	45.00	50.00	1	4'
Jenny Haulage Ltd. 16 Hillyard St. Hamilton	45.00	48.00	51.00	1	60"
Grayford Enterprise Ltd. 112 Rymal Rd., Hamilton	36.00	39.00	42.00	1	5' Ford
150 Woodburn Rd., Hannon	38.00	41.00	44.00	1	5' Bobcat
Stuart Fletcher Exc. Ltd. 11 East 32nd St. Hamilton	50.00	55.00	60.00	1	60"

WHEELED SIDEWALK CLEANER WITH BLOWER

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Width of Blower</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
DiFranco Construction 198 West 2nd St. Hamilton	20.00	22.50	25.00	1	32"

TRACK SIDEWALK CLEANER WITH BLADE LESS THAN 5'

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Blade</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Benny Haulage Limited 66 Hillyard St. Hamilton	45.00	48.00	51.00	1	60"
Jack Belanger 121 Chilton Dr. Stoney Creek	35.00	38.00	40.00	7	52"

MISCELLANEOUS EQUIPMENT - OWNED

		<u>Per Hour</u>		
		<u>85/86</u>	<u>86/87</u>	<u>87/88</u>
Vernon Sims Excavating Ltd. Box 98 Hannon LOR 1P0	1 - Cat D-8 Dozer	75.00	80.00	85.00
Bono General Construction Ltd. 780 Rennie Street Hamilton L8H 3R2	1 - Chev. 4 wheel - Model 20	30.00	33.00	36.30
Delmar Contracting Limited. 696 Arvin Ave. Fruitland LOR 1L0	2 - D6C Caterpillar Dozer	69.00	74.00	79.00
Molisan Construction Co. Ltd. 40 Hildegard Dr. Hamilton	1 - 3/4 ton pickup truck 4x4, snow plow	38.00	40.00	42.00
Workman Excavating (Daryl Workman) 2000 Main St. W. Hamilton L83 4M8	1 - J.D. 3540 Front Mounted Augger 86" Snow Blower	50.00	52.00	54.00
Case Construction Ltd. 58 Tuxedo Ave. S. Hamilton, Ont.	1 - G.M.C. 4x4 Pickup Truck 1 ton	30.00	33.00	36.00
Ancaster Sewer Cont. 380 Mohawk Rd. W. Hamilton	1 - Toyota 4x4 with 6' 2way blade 1 - Jeep 4x4 with 6' 2way blade	34.00 34.00	36.00 36.00	36.00 36.00
Hamilton Sod Company Limited R.R.#1 Box302 Mount Hope LOR 1W0	1 - Chev 3/4ton Pickup 4x4 with hydraulic plow	41.34	43.82	46.45
Delta Ready Mix Limited 1875 Barton St. E. Hamilton	2 - Caterpillar D-6	80.00	88.00	95.00
Crescan Resources Ltd. P.O.Box 32 Stn A Hamilton	1 - Ford F250 4x4 7½' plow 1 - Dodge Ram 4x4 7½' plow	38.00 38.00	39.00 39.00	40.00 40.00
Mike's Haulage 156 Columbia Dr. Hamilton L9C 3Y6	1 - Ford 4x4 with blade	36.00	38.00	40.00
E. Woytki Haulage Ltd. P.O.Box 4535 Stn. D Hamilton L8V 4S7	6 - Chev & Ford 4x4 with 8' blade	35.00	37.00	39.00
Stuart Fletcher Exc. Ltd. 11 East 32nd St. Hamilton	2 - Cat D6 track blade	70.00	75.00	80.00

MISCELLANEOUS EQUIPMENT - NON-OWNED

		Per Hour			Page
		85/86	86/87	87/99	
Workman Excavating (Daryl Workman) 2000 Main St. W. Hamilton L8S 4M8	1 - M.F. 1135 Rear Mounted Double				
	Auger 86" Snow Blower	50.00	52.00	54.00	
	1 - M.F. 1100 Rear Mounted Double Auger	50.00	52.00	54.00	
	86" Snow Blower				
<hr/>					
R.G.Duffie Contracting Ltd. 267 Aberdeen Ave. Hamilton	1 - Chev C25 4x4 with 8' blade	37.00	38.00	39.00	
	1 - Chev C15 4x4 with 8' Blade	36.00	37.00	38.00	









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation presents its NINETEENTH Report for 1985 and respectfully recommends:

1. (a) That the responsibility for the building-maintenance function of Culture and Recreation facilities be transferred to the Property and Maintenance Division of the Real Estate Department, effective 1985 October 1.
- (b) That R. Swan, presently Maintenance Supervisor for the Culture and Recreation Department be transferred to the Property and Maintenance Division of the Real Estate Department effective 1985, October 1.
- (c) That the responsibility for technical support services, including the maintenance of play structures, chattels and equipment, delivery of supplies and equipment to service facilities, as well as the Supervision of Arena Managers and respective support staff, remain with the Department of Culture and Recreation.
2. (a) That the overall concept of the Hamilton Waterfront Master Plan and Recommendations as presented at the Waterfront Parks Advisory Sub-Committee on 1985 September 13, be adopted subject to the relocation of the Crystal Palace in the plan and on the model to a higher elevation and more central location on the Island, as recommended by the Crystal Palace Committee.

NOTE: These amendments were completed in time for the Parks and Recreation Committee meeting on 1985 September 19, and are included in the "Master Plan" booklet.

- (b) That the overall concept of the Hamilton Waterfront Master Plan be approved in principle, with the implementation to begin in conjunction with the new City Council in 1986.
- (c) That a Sub-Committee of the Parks and Recreation Committee be established to recommend an implementation process and to direct the development and membership to consist of three (3) Council members selected by the Parks and Recreation Committee and four (4) citizens appointed by the Committee.
- (d) That the first priority of the Sub-Committee shall be to determine Terms of Reference for the necessary management structure to direct the construction and operation of the Waterfront Plan, and secondly, to determine a public participation programme for the implementation phase.

- (e) That funding assistance be sought from other levels of government, by the Mayor and elected members of the Sub-Committee, with the assistance of applicable staff and community resources. Further, that the Chief Administrative Officer be requested to prepare documentation detailing Federal and Provincial financial assistance received by other Canadian cities for Waterfront developments.
- (f) That budget and implementation time table alternatives be prepared by the appropriate staff under the direction of the Chief Administrative Officer for further consideration by the Sub-Committee, the Parks and Recreation Committee, the Capital Budget Committee and City Council.
- (g) That the Mayor and elected members of the Sub-Committee meet with the Hamilton Harbour Commission and Waterfront tenants to explore integration of the Waterfront objectives with the future plans of the Hamilton Harbour Commission especially in respect of the proposed walkways, marina facilities, improvements to roads, and future waterfront hotel.
- (h) That the Mayor and elected members of the Sub-Committee meet with the CNR to discuss the acquisition of a right-of-way for the proposed waterfront walk, for possible use of certain railway lands for parking, and other improvements in connection with the Master Plan.
- (i) That the City apply to the Ontario Ministry of the Environment for exemption from the Environmental Assessment Act for the Waterfront Plan and that discussions continue with the Ministry to determine an acceptable protection for the contaminated soil of the Lax property.
- (j) That rezoning, as maybe necessary to implement the Master Plan, be initiated by the Planning Department.
- (k) That the Hamilton Street Railway be requested to report upon the feasibility of summer and special event shuttle bus service to the Waterfront.
- (l) That preliminary reports on all matters herein be presented to Council as early as possible after the election of the new Council.
- (m) That the Planning and Traffic Departments report upon the impact of the Waterfront Plan on development and on traffic requirements for the area.
- (n) That the Transport and Environment Committee be requested to implement the "North End Traffic Improvement Study" to deal with the present traffic situation.



- (o) That the plan be revised to include the Leander Club property in the area owned by the Hamilton Harbour Commission.
  - (p) That the extension of the proposed perimeter road from Wellington Street to Bay Street be given high priority and that the corresponding changes be made to the plan to improve Guise Street but maintain it as a two lane street.
3. (a) That the City support in principle the request by Mr. Lawrence Hewick, Two Plus Two Management, to hold a marathon in the City of Hamilton.

NOTE: For the information of the members of Council, details of the proposal are outlined in Mr. Hewick's Report appended hereto as Schedule A. Mr. Hewick is proposing that the Marathon be held on 1986 June 8.

- (b) That the following resource requirements relative to equipment and staff, as outlined on Page 2 of Schedule A be approved:
    - (i) Assistance in planning sessions from the Police, Roads, Transportation, Parks and Recreation Departments.
    - (ii) Assistance in the use of certain equipment on PreRace Night and Race day (i.e.) cones, ropes, water hydrants, barriers, etc.
    - (iii) Consideration to providing office space from 1985 October 1 to June 15 for the Marathon staff (3).
    - (iv) A letter of support for the Marathon from the Mayor.
  - (c) That the Chief Administrative Officer be directed to co-ordinate City staff and liase with the Region of Hamilton-Wentworth for the purposes of the "Hamilton Marathon".
  - (d) That the resolution of support for a "Hamilton Marathon" be forwarded to the Region of Hamilton-Wentworth.
4. (a) That the Adhoc Committee on Hockey, made up of two (2) representatives from every minor hockey organization in the City, be duly constituted as a Sub-Committee of the Parks and Recreation Committee with direct reporting responsibility to the Standing Committee of Council.

NOTE: Official status of this Sub-Committee will best equip the City with immediate access to the best hockey sport minds in the City. The membership and terms of reference of this committee needs to be clearly understood by everyone from player to parent, from organizer to elected representative.

- (b) That the terms of reference for this Hockey Sub-committee be to pursue the necessary steps to develop The Hockey Delivery System in the City of Hamilton under a unified management from recreation to Triple A Levels.

NOTE: It has been determined that this development should be over the next five years. The key elements of this review would conclude with recommendations dealing with such issues as:

- Management and Leadership Development
- Preservation of Community Identity
- Equity of Player Subsidy
- Ice Time Distribution

- (c) That the City of Hamilton embark on a ten year capital building program to increase the ice surfaces available for skating sports, to be initiated in the next 5 years.

NOTE: The detailed comparison findings from other municipalities indicate a shortfall of ice surfaces symptomatic of the problems this municipality is facing. Initial indications are that demand for ice time far exceeds the supply for ice sports for all ages and interests. Consideration should be given to twin pads, a figure skating pad and a west mountain start.

5. Approval of the action of the Parks and Recreation Committee in authorizing the Stinson Neighbourhood Association to hold a garage sale in the southeast corner of the park located at East Avenue South and Hunter Street on Saturday, 1985 September 21, between the hours of 9:00 a.m. and 5:00 p.m. subject to the following:

- (a) That the organization obtain the necessary licences.
- (b) That the organization assume "actual" labour charges as reported by the Parks Division for work to be carried out by Civic Staff.
- (c) That 5% of gross proceeds be donated towards future development of the park.
- (d) That a financial statement of gross sales be submitted following the event.

6. Approval of the action of the Parks and Recreation Committee in authorizing a bonfire in the area of the Cockpit Theatre, Dundurn Park, the location meeting the approval of the Curator of Dundurn Castle and the Hamilton Fire Department.

7. That an additional sum of \$1,575 be approved for completion of the Waterfront model as a result of the recommended relocation of the Crystal Palace (a major change to the model at \$1,350) and the addition of permanent folding legs to the model for \$225.

NOTE: This brings the total contract price to \$14,275.  
Sufficient funds are available in the model Account No.  
0408-G4626-4.

8. Approval of the action of the Parks & Recreation Committee in authorizing the Chairman, the Director of Culture and Recreation and a member of the Convention Centre staff to appear before the Executive of the Canadian Parks and Recreation Association on Saturday, 1985 October 5, in Montreal to bid on behalf of the City of Hamilton, to host the 1989 Annual Conference of the Canadian Parks and Recreation Association.

Respectfully submitted,

Alderman B. Hinkley, Chairman  
Parks and Recreation Committee

L. Dale, Acting Secretary  
1985 September 26

HAMILTON MARATHON

A Proposal to

THE CITY OF HAMILTON

from

Laurence Hewick, Ph.D.  
TWO plus TWO Management Inc.

September, 1985.



## INTRODUCTION:

In a recent study the Federal Government of Canada estimated that approximately 6,456,000 Canadians participate in running at least three times per week. This statistic translates to approximately 26 percent of the Canadian population. This figure is also very close to the 30 percent of the American population which is reported to be active in some form of running.

Canadian's competitive interest in running is reflected in the number of major road races conducted each year. In 1983 there were 442 major races which were sanctioned by the Canadian Track & Field Association and Canadian cities hosted five major marathons. In the US, during this same period of time, there were approximately 350 marathons which clearly indicates strong demand for marathoning.

The City of Hamilton is ideally located in the hub of Canada's Golden Horseshoe to and within driving distance of many prime U.S. and Canadian road running markets. Further it is believed that Hamilton's broadly based multi-cultural community and strong industrial foundation would support a major marathon if professionally designed, organized, and directed.

## RACE OBJECTIVES AND GOALS:

It is the intent of the Marathon Director to create an athletic event which promotes FITNESS and FUN for the citizenry of Hamilton. Secondly, to attract the best athletes locally and internationally to a marathon which garners valuable promotion for the sponsors and the City of Hamilton.

It is the goal of the Marathon Director to attract 5000 athletes to participate in this marathon and to have this marathon recognized, in its first year of operation, as Canada's second largest BUT best directed marathon.

## ECONOMIC IMPACT ON THE CITY:

Research into the economic impact of marathons on Canadian cities concluded that well directed road races are a major source of revenue to a city and an asset to the city's image.

La Presse, one of Montreal's leading newspapers, reported on the economic fall-out of the Montreal Marathon for the city of Montreal. It estimated that the direct benefit is 6.3 times the direct cost and the indirect benefit is 4.8 times the direct cost. Translating these figures into benefits to the City of Hamilton it is estimated that the city could realize \$2,047,500. in direct benefit and \$1,560,000. in indirect benefit for a total benefit of \$3,607,500. These estimates are based on an projected total cost of the marathon at \$325,000.

Further research from the New York Times (October 16, 1983) quotes Mayor Ed Koch as stating that the New York Marathon---

"Is worth every dollar. It is the single greatest sporting event in the city of New York and brings more people together throughout the five boroughs than any other event, sports or otherwise." (p.5)

The intangible benefits to a city are also recognized by Mayor Koch who further stated---

"The marathon is an advertisement that COUNTERS the perception that the city is an unlovely and unloving place"

The Montreal Marathon, as reported by Jean-Claude Arsenault -race director,

" The Montreal Marathon was covered in no less than 1500 newspapers and magazines."

#### REQUIREMENTS FROM THE CITY

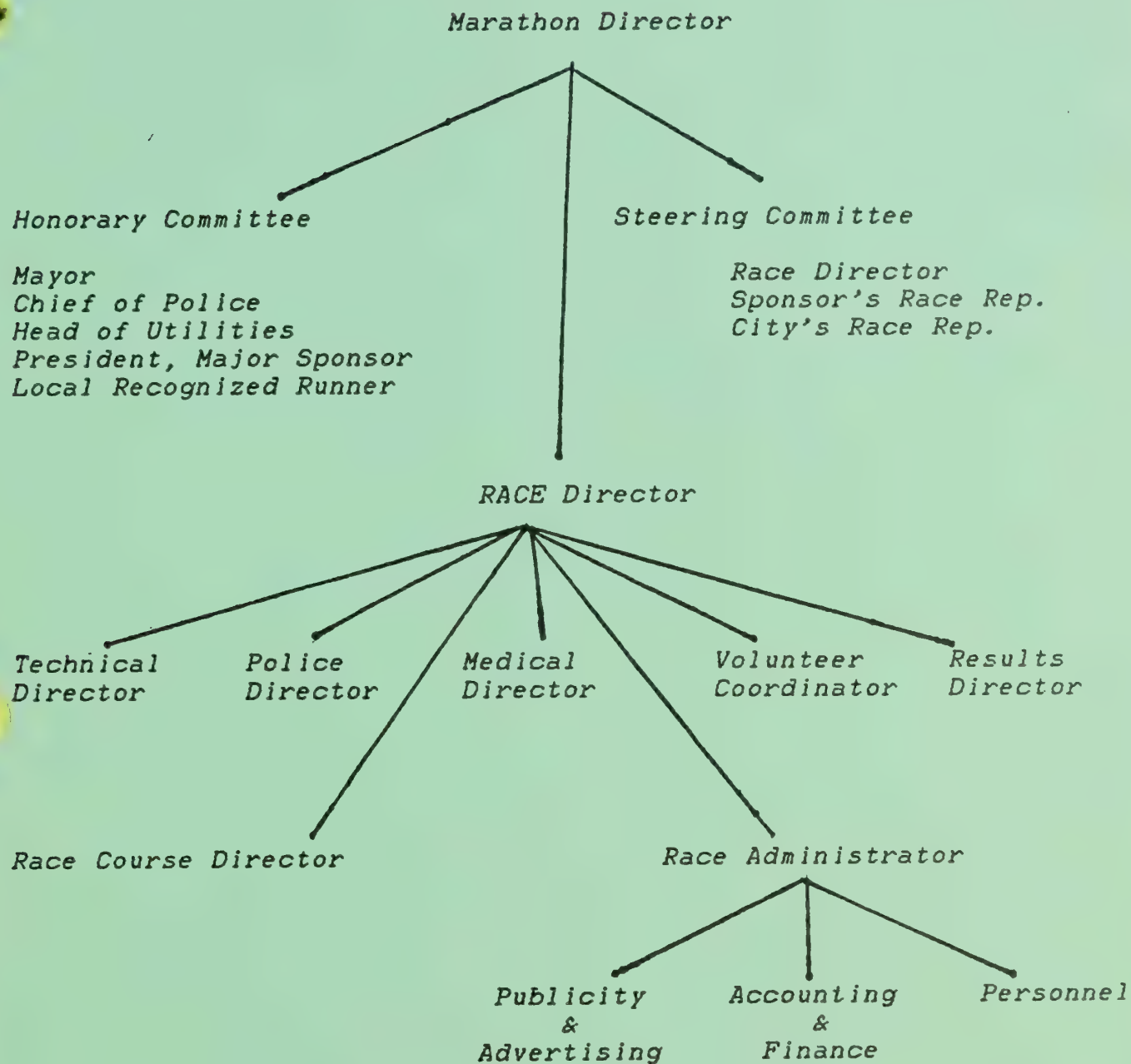
NO financial assistance is sought from the City of Hamilton. City services are a major resource that are required for the success of any marathon. Specific resource requirements include:

1. Assistance in planning sessions from the police, roads, transportation, parks and recreation departments.
2. Assistance in the use of such items such as cones, ropes, water hydrants, barriers, etc. on pre-race night and race day.
3. Office space for the marathon staff. This space would require a private office, secretarial and work area for three people and meeting room availability.
- 4.A letter of support for the marathon from the Mayor which demonstrates the city's enthusiasm in helping to make their marathon one of the best in North America.

#### SUMMARY:

In summary it may be concluded that marathons today are in demand from many runners on both sides of the border. Hamilton is located geographically to take advantage of this need. Further, if professionally managed, marathons can be economically and socially beneficial to a city. Initial planning must begin with the full support of the city and their services.

I now request your full support for the Hamilton Marathon.











## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its TWENTY-SIXTH Report for 1985 and respectfully recommends:

1. That Item 1 of the Eighteenth Report of the Planning and Development Committee as adopted by City Council at its meeting of June 25, 1985, be deleted and the following substituted therefore:
  - A. That approval be given to Zoning Application 85-40, Henry Hader, owner for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the east side of Berkindale Drive at Swan Street, as shown on the attached map marked as APPENDIX "A" on the following basis:
    - a. That the subject lands be rezoned for "AA" (Agricultural District to "C" (Urban Protected Residential, etc.) District
    - b. That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
      - (i) That notwithstanding the provisions of Section 9.(3)(i), a minimum front yard of 5.2 m shall be provided.
      - (ii) That notwithstanding the provisions of Section 9.(3)(iii), a minimum rear yard of 5.5 m shall be provided.
      - (iii) That notwithstanding the provisions of Section 9.(4), every lot shall have a minimum width of 12.0 m and an area of at least 350.0 m.
    - c. That the amending by-law be added to section 19B of By-law No. 6593 as Schedule S-918, and that the subject lands on Zoning District Map E-124 be notated S-918;
    - d. That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No 6593 and Zoning District Map E-124;

- e. That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural District to "C" (Urban Protected Residential, etc.) District modified, for property on the east side of Berkindale Drive at Swan Street as shown on the attached map marked as APPENDIX "A".

The effect of the by-law is to permit the division of the subject lands into two building lots for single-family detached dwellings.

In addition, the by-law provides for the following variances:

- o a minimum front yard of 5.2 m (17 feet) instead of the required 6.0 m (19.69 feet);
- o a minimum rear yard of 5.5 m (18 feet) instead of the required 7.5 m (24.61 feet); and
- o a minimum lot area of 350.0 m<sup>2</sup> (3,767 sq. ft.) instead of the required 360.0 m<sup>2</sup> (3,875 sq. ft.)

- 2. A That approval be given to City Initiative 85-K to establish a further modification to the "J" (Light and Limited Heavy Industry, etc.) District regulations, for property located at No. 60 Elgin Street, as shown on the attached plan marked as Appendix "B" on the following basis:

- i) That the "J" (light and Limited Heavy Industry, etc.) District regulations as contained in Section 16 of By-law No. 6593, applicable to the subject lands be further modified in accordance with Section 38 of the Planning Act, R. S. O. 1983, to permit the temporary use of these lands for parking of automobiles for a three year period;
- ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-378D, and that the subject land on Zoning District Map E-4 be notated S-378D;
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-4;



- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The By-law provides for a further modification to the established "J" (Light and Limited Heavy Industry, etc.) District, for City owned property located at No. 60 Elgin Street, as shown on the attached plan marked as Appendix "B".

The effect of the by-law is to permit the temporary use of the lands for parking purposes for a three year period in accordance with Section 38 of the Planning Act.

- 3. A. That approval be given to Zoning Application 85-66, Mr. Starcevic, owner requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at the north-east corner of Quaker Crescent and Queen Victoria Drive, as shown on the attached plan marked as Appendix "C" on the following basis:

- i) That the subject lands be rezoned from "AA" (Agricultural District to "C" (Urban Protected Residential, etc.) District;
- ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-49B and E-49C; and,
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District

The effect of the by-law is to permit the subdivision of the land for the purpose of constructing single-family detached dwellings.

- 4. A. That approval be given to Zoning Application 85-69, by Semper Investments Limited, owner requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District, for property located at No. 1581 Main Street West, as shown on the attached plan marked as APPENDIX "D" on the following basis:

- i) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District;

- ii) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593, be modified to include the following variances as special requirements:
  - a) That notwithstanding Section 13C(3)(iii) and Section 18(3)(vi)(f) of Zoning By-law No. 6593, a fence or wall of a height of 2.44 m shall be provided along the easterly lot line; and,
  - b) that a landscaped strip having a width of not less than 1.5 metres shall be provided along the easterly lot line
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-937 and that the subject lands on Zoning District Map W-46 be notated S-937.
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-46;
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

- B. The subject by-law not be passed by Council until a Site Plan has been approved by the Planning and Development Committee.

**Explanatory Note:** The purpose of the By-law is to provide for a change in zoning of lands from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District for property located as part of No. 1581 Main Street West as shown on the attached key plan.

The effect of the By-law is to permit property located to the east of the existing lumber yard and hardware store (i.e. Wentworth Beaver Store) to be used for additional parking.

In addition, the by-law requires that a 1.5 metre (4.92ft) wide landscaped strip and a 2.44 m (8ft.) high visual barrier (i.e. closed board privacy fence) be provided along the easterly lot line of the parking lot which abuts a residential district.

- 5. A. That Zoning Application ZA-85-63 by John and Margaret Eagles, owners requesting a change in zoning from "C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District to "H" (Community Shopping and

Commercial, etc.) District for property located at No. 1533 Upper James Street as shown on the attached plan marked as Appendix "E", be denied as submitted for the following reason:

- a) A Neighbourhood Plan has not been completed for the area.
- B. That approval be given to Amended Zoning Application ZA-85-63 by John and Margaret Eagles, owners, for a modification to the established "C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District regulations for property located at No. 1533 Upper James Street, as shown on the attached plan marked as Appendix "E" on the following basis:
- i. That the "C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District provisions of By-law No. 6593 be modified in accordance with Section 38 of the Planning Act, R. S. O. 1983, to permit the temporary use of the lands, and existing buildings only, for the sale, repair and storage of recreational vehicles for a maximum period of three years;
  - ii) That Section 4(3) (a) of Zoning By-law No. 6593 shall not apply
  - iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-938 and that the subject land on Zoning District Map E-9D be notated S-938.
  - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D; and,
  - v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton-Wentworth Planning Area and the Official Plan for the Hamilton Planning Area, upon the final approval of O. P. A. No. 11 and O. P. A. No. 22, respectively, by the Ontario Municipal Board.
- C. That By-laws No. 79-275 be amended to place the subject lands under Site Plan Control and that the subject Zoning By-law not be passed until the Site Plan has been approved by the Planning and Development Committee.

**Explanatory Note:** The purpose of the By-law is to provide for a modification to the "C" (Urban Protected Residential, etc.) District and "AA" (Agricultural)



District provisions applicable to the lands located at No. 1533 Upper James Street, as shown on the attached key map.

The effect of the By-law is to permit the temporary use of the lands and the existing buildings only for the sale, repair and storage of recreational vehicles for a maximum period of three years.

Further, the following variance shall apply:

- o a single-family dwelling and the sale, storage and repair of recreational vehicles on a temporary basis shall be permitted on the same lot.

6. A. That zoning application ZA-85-65 by Alex Sourdos, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commerical, etc.) District for property located at No. 1492 Upper James Street as shown on the attached plan marked as Appendix "F", be denied as submitted for the following reasons:

a) Official Plan Amendment No. 28 has not been approved to redesignate the subject lands from "Residential" to "Commericla"; and,

b) A Neighbourhood Plan has not been completed.

B. That approval be given to an amended Zoning Application ZA-85-65 by Alex Sourdos, owner for a modification to the "C" (Urban Protected Residential, etc.) District provisions for property located at No. 1492 Upper James Street as shown on the attached plan marked as Appendix "F", on the following basis:

i). That the "C" (Urban Protected Residential, etc.) District provisions of By-law No. 6593 applicable to the subject property be modified in accordance with Section 38 of the Planning Act, R. S. O. 1983, to permit the temporary use of the lands, and the existing building only, for the same of new and used automobiles for a maximum period of three years.

ii) That notwithstanding Section 18(3)(ivc)(b) and (c) and of Zoning By-law No. 6593, a 1.5 m wide landscaped planting strip and 1.2 to 2.0 m high visual barrier shall be provided along the northerly lot line only, except that no visual barrier shall be situated less than 3.0 m in distance from the front lot line.



- iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-939; and that the subject land on Zoning District Map E-9B be notated S-939;
  - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D; and,
  - v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, upon the approval of Official Plan Amendment No. 28, by the Minister of Municipal Affairs, and final approval of O. P. A. No. 22 by the Ontario Municipal Board.
  - vi) That the proposed change in zoning will be in conformity with the Official Plan to the Hamilton-Wentworth Planning Area upon the final approval of O. P. A. No. 11 by the Ontario Municipal Board.
- C. That By-law 79-275 be amended to include the subject lands and that the Zoning By-law not be passed until a Site Plan has been approved by the Planning and Development Committee.

**Explanatory Note:** The purpose of the By-law is to provide for a modification to the "C" (Urban Protected Residential, etc.) District provisions applicable to the property located at No. 1492 Upper James Street, as shown on the attached key map.

The effect of the By-law is to permit the temporary use of the lands and existing building only for the sale of new and used automobiles for a maximum period of three years.

In addition, the By-law provides for:

- o a 1.5 m wide landscaped planting strip along the northerly lot line only whereas a 3.0 m wide planting strip would be required along the northerly, westerly and southerly lot lines.
  - o a 1.2 m to 2.0 high visual barrier along the northerly lot line only whereas a visual barrier is required along the northerly, westerly and southerly lot lines.
7. A. That approval be given to Zoning Application 85-62 by Dr. Nenad Gagic, owner of 310, 312, 316 and 318 Victoria Avenue North, and prospective owner of 304 and 306 Victoria Avenue North, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community

Shopping and commercial, etc.) District, modified for property from 304 to 318 Victoria Avenue North, as shown on the attached plan marked as Appendix "G" on the following basis:

- a) That the subject lands be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District; and
- b) That the "H" (Community Shopping and commercial, etc.) District provisions as contained in Section 14 of Zoning By-Law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
  - i) That notwithstanding Section 14(1) the use of the first floor of any building shall be limited to: physiotherapy, x-ray facilities, medical laboratories and a pharmacy;
  - ii) That notwithstanding Section 14(1) the use of the second and third floors shall be limited to medical offices;
  - iii) That notwithstanding Section 14(3) (i) a minimum front yard of a depth of at least 1.0 m shall be provided; and,
  - iv) That notwithstanding Section 14(2), no building shall exceed three-stories or 11.0 m in height.
- c) That the "Parking and Loading Requirements" as contained in Section 18A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
  - i) That notwithstanding Sections 4(a), 4(c) and 4(i) of Table 1, a minimum of 51 parking spaces shall be provided;
  - ii) That Section 18A(9) shall not apply;
  - iii) That notwithstanding Section 18A(11)(b) no parking space shall be located closer than 3.0 m to the front lot line; and
  - iv) That Table 4 of Section 18A shall not apply.

- d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-940 and that the subject lands on Zoning District Map E-12 be notated S-940;
  - e) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, and Zoning District Map E-12;
  - f) That the Landsdale Neighbourhood Plan be amended to redesignate the subject properties from "Single and Double Residential" to "Commercial"; and,
  - g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. By-Law No. 79-275 should be amended to place the subject lands under Site Plan Control with an agreement registered on title.

**Explanatory Note:** The purpose of the by-law is to provide for a change in zoning from "D" (Urban Protected Residential, One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified for lands located at No. 304 to 318 Victoria Avenue North, as shown on the attached key plan.

The effect of the By-law is to permit a medical clinic with a pharmacy, x-ray facilities, medical laboratories and physiotherapy on the first floor, and medical offices on the second and third floors.

In addition, the By-law provides for the following variances:

- o a front yard of a minimum depth of 1.0 m shall be provided whereas 6.0 m is required;
- o a minimum of 51 parking spaces shall be provided whereas 59 parking spaces are required;
- o no loading space shall be provided whereas 1 space is required;
- o parking spaces shall be permitted not closer than 3.0 m to the front lot line whereas a setback of 6.0 m is required.



- o maneouvering space for the parking area shall be permitted on the adjacent alley to the east, whereas maneouvering space is required to be located on the same lot where the principle use, building or structure is located.
8. A. That approval be given to Application SA-85-08, Gurnland Development Inc., owner to establish a draft plan of subdivision located on the west side of Upper Paradise Road and South of the proposed Mountain Freeway; subject to the following conditions:
1. That this approval apply to the plan prepared by A. J. Clarke, O.L.S., dated April 19, 1985, showing 12 lots and 1 block for future development and 1 block for road widening.
  2. That the owner acquire sufficient land to establish the north-south street at the easterly limit of the plan to the full required width.
  3. That the road allowances and widening for Upper Paradise Road be dedicated as public highways on the final plan.
  4. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wetnworth.
  5. That the final plan conform with the zoning By-law approved under the Planning Act.
  6. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  9. That the dead-ends and open side of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.



10. That the owner comply with the residential development standards to control the effects of freeway noise as adopted by City Council on October 9, 1973, and amended by City Council on June 29, 1983 and September 27, 1977.
  11. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-08), Gurnland Development Inc., owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
9. A. That the report attached hereto as Appendix "H" dealing with the "Housing Monitoring 1984" be received for information.
- B. That City Council, on behalf of the Municipal Non-Profit (Hamilton Housing Corporation, request the minister of Housing to provide the City of Hamilton with allocation for 1986 in the order of 100 - 150 units.
10. A. That the Minister of Supply and Services be requested to reconsider the deletion of vital housing type information from the 1986 Census and to include the following categories:
- a) semi-detached and duplex;
  - b) row; and
  - c) apartment in a building that has less than five storeys.
- B. That the Minister of Supply and Services be requested to inform the City of any other significant changes to the 1986 Census and future census.
11. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee.
- a) 461 Upper Paradise Road
  - b) 17 Queensdale Avenue West

- c) 279 East Avenue North
- d) 390 Birch Avenue
- e) 153 Belview Avenue
- f) 544 Limeridge Road East
- g) 205 Quigley Road
- h) 14 Jones Street
- i) 52 Woodbine Crescent

12. a. That the single proposal received for the erection of a moveable-character message board on the east face of the King Street Pedestrian Bridge not be accepted.
- b. That no further action be taken to proceed with the erection of a permanent sign on the King Street Pedestrian Bridge.
- c. That the Transport and Environment Committee be requested to consider establishing a policy prohibiting any type of signage on the King Street Pedestrian Bridge with the exception of banners promoting the City of Hamilton only and no other purposes.
- d. That Regional Council be advised of the City's decision in this matter.

**Explanatory Note:** At its meeting held May 29, 1984, City Council in adopting Item 6 of the Tenth Report of the Planning and Development Committee approved the following:

- a. That a moveable-character message board be approved, in principle, on the east face of the King Street Pedestrian Bridge.
- b. That the Regional Engineering Committee be requested to consider granting the necessary approval.
- c. That if approval are granted, proposals be requested from interested advertising compnay's with revenue to accrue to the City, and further that more detailed costs be prepared by staff to indicate the relative benefits of the City owning its own moveable-character message board.

At its meeting held August 22, 1984, Regional Council approved of the erection of the message board. However, as a result of discussions and meetings which have subsequently taken place, the Planning and Development Committee is of the opinion that the message board would not only detract from the appearance of the bridge, but would also be very distracting to motorists and possibly cause motor vehicle collisions.

13. a. That the Regional Municipality of Hamilton-Wentworth hereinafter called the "Region" be granted permission for the sum of \$1.00 to lease City owned lands knowns as Part 1, Plan R.B.H. - 302 located on the north side of Goerich Road for a period of ten months commencing from City Council approval.
- b. That the City Solicitor be authorized to prepare the lease agreement.

- NOTE:
1. In the event the City requires the subject lands, the Region will vacate upon two months written notice.
  2. The site will be restored to its original state upon the Region vacating the premises.
  3. The approval of the lease is subject to the Region assuming all risks, costs and indemnify and save harmless the City against and from any and all actions, courses of action, interest claims, demands, costs, expenses and loss, all claims for bodily injury or property damage arising from or out of the use by the Region of the premises, or arising from the conduct of any work or by or through any act, or omission of the Region or any assignee, invitee or licensee of the Region and against and from all costs, counsel fees, expenses and liabilities incurred in or about any such claim or any action proceeding brought thereon.

14. That approval be given the following list of applicants for Phase II of the City of Hamilton's Termite Control Programme, and authorize the Department of Community Development to process loans and grants on the basis of the approved terms of reference.

For the information of the City Council the exact loan amounts will be processed for approval by the Planning and Development Committee at a later date.

- |                                      |   |
|--------------------------------------|---|
| 1. R. Petch<br>80 Pottruff Road N.   | 11. R. Clayton<br>18 Eugene Street      |
| 2. S. Murphy<br>86 Pottruff Road N.  | 12. W. Krajewski<br>85 Woodman Drive N. |
| 3. L. Steeves<br>90 Pottruff Road N. | 13. M. Fiznnola<br>89 Woodman Drive N.  |
| 4. W. MacPhee<br>96 Pottruff Road N. | 14. A. Wallace<br>93 Woodman Drive N.   |



- |  |   |
|--|---|
| 5. J. Harper<br>104 Pottruff Road N.     | 15. A. Cermignani<br>97 Wood Drive N.       |
| 6. B. Soltyka<br>108 Pottruff Road N.    | 16. C. Connelly<br>101 Woodman Drive N.     |
| 7. J. Martin<br>114 Pottruff Road N      | 17. C. D'Alessandro<br>105 Woodman Drive N. |
| 8. M. Fitzgerald<br>120 Pottruff Road N. | 18. C. Zavagno<br>109 Woodman Drive N.      |
| 9. A. Dzioba<br>126 Pottruff Road N.     | 19. S. Krstanovic<br>119 Woodman Drive N.   |
| 10. H. Herdzik<br>14 Eugene Street       | 20. D. Ferguson<br>123 Woodman Drive N.     |

15. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law nO. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

#### Ontario Home Renewal Programme

- |   |   |
|---|---|
| 1. H. Howe<br>39 Belmont Avneue           | 2. K. Bessey<br>39 Britannia Avenue     |
| 3. W. Douglas<br>110 Terrace Drive        | 4. W. Ball<br>109 Dodson Street         |
| 5. K. Klemen<br>76 McAnulty Boulevard     | 6. J. Thompson<br>18 East 7th Street    |
| 7. A. Accadia<br>10 Clonmore Avenue       | 8. H. McKenzie<br>192 Broadway Avenue   |
| 9. L. Sredojevich<br>56 Crosthwaite South | 10. F. Boutcher<br>178 West 24th Street |
| 11. J. Malcolm<br>939 Upper Gage Avenue   | 12. M. Czekay<br>4 Chopin Court         |



- |   |  |
|---|--|
| 13. G. Eacott<br>96 Cardinal Drive      | 14. R. Blundell<br>33 Rosemont Avenue  |
| 15. E. Hewitt<br>127 Warren Avenue      | 16. J. Leger<br>9 Muir Avenue          |
| 17. T. Jackson<br>67 Lower Horning Road | 18. E. McSweeney<br>10 DuBarry Blvd    |
| 19. I. Collins<br>231 Tragina N.        | 20. A. Keizer<br>255 West 17th Street. |

Hamilton Rehabilitation Programme

- |                                  |                                    |
|----------------------------------|------------------------------------|
| 1. E. Danta<br>33 Fieldway Drive | 2. E. Vlaar<br>90 Barnesdale North |
|----------------------------------|------------------------------------|
16. That the Department of Community Development be directed to process a Designated Property Grant to Ms. K. Renwald and Mr. R. Finlay at 433 Bay Street North, in the amount of \$1,794.
17. a. The City of Hamilton accept the minor reduction in the maintenance easement to be established on Lot 20, Plan 62M - 409 (Aspen Estates - Phase 2.)
- b. The City Solicitor be authorized and directed to make all of the necessary revisions, to the City subdivision agreement for Aspen Estates - Phase 2, to provide for the reduction in the required maintenance easement on Lot 20.
- c. The Mayor and City Clerk be authorized and directed to execute all documents required to revise the City subdivision agreement for Aspen Estates - Phase 2.
18. That leave be granted to introduce the following Bills.
- |           |   |
|-----------|---|
| Bill C-96 | To Amend By-law No. 79-275 As Amended by By-law Nop. 82-220 respecting Site Plan Control of Land Located on the East Side of Upper Wentworth Street in the Area North of Stone Church Road. |
| Bill C-97 | To Amend Zoning By-law No. 6593 Respecting Land Located at the Rear of Municipal No. 725 Limeridge Road EAST.   |
| Bill-98   | To Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 168 Jackson Street West.   |

- Bill C-99 To Amend Zoning By-law No. 6593  
Respecting Land Located at the Rear of  
Municipal No. 300 Fennell Avenue East.
- Bill C-100 To Amend Zoning By-law No. 6593  
Respecting Land Located at the  
South-West corner of Upper Sherman  
Avenue and Queensdale Avenue East.
- Bill C-101 To Amend Zoning By-law No. 6593  
Respecting Land Located at the Rear of  
Municipal No. 1563 Main Street West.
- Bill C-102 To Amend Zoning By-law No. 6593  
Respecting Land Located at Municipal No.  
65 Walnut Street South.
- Bill C-103 To Amend Zoning By-law No. 6593  
Respecting Lands Located on the West  
Side of Upper Wentworth Street in the  
area South of the Proposed Mountain  
Freeway Alignment.

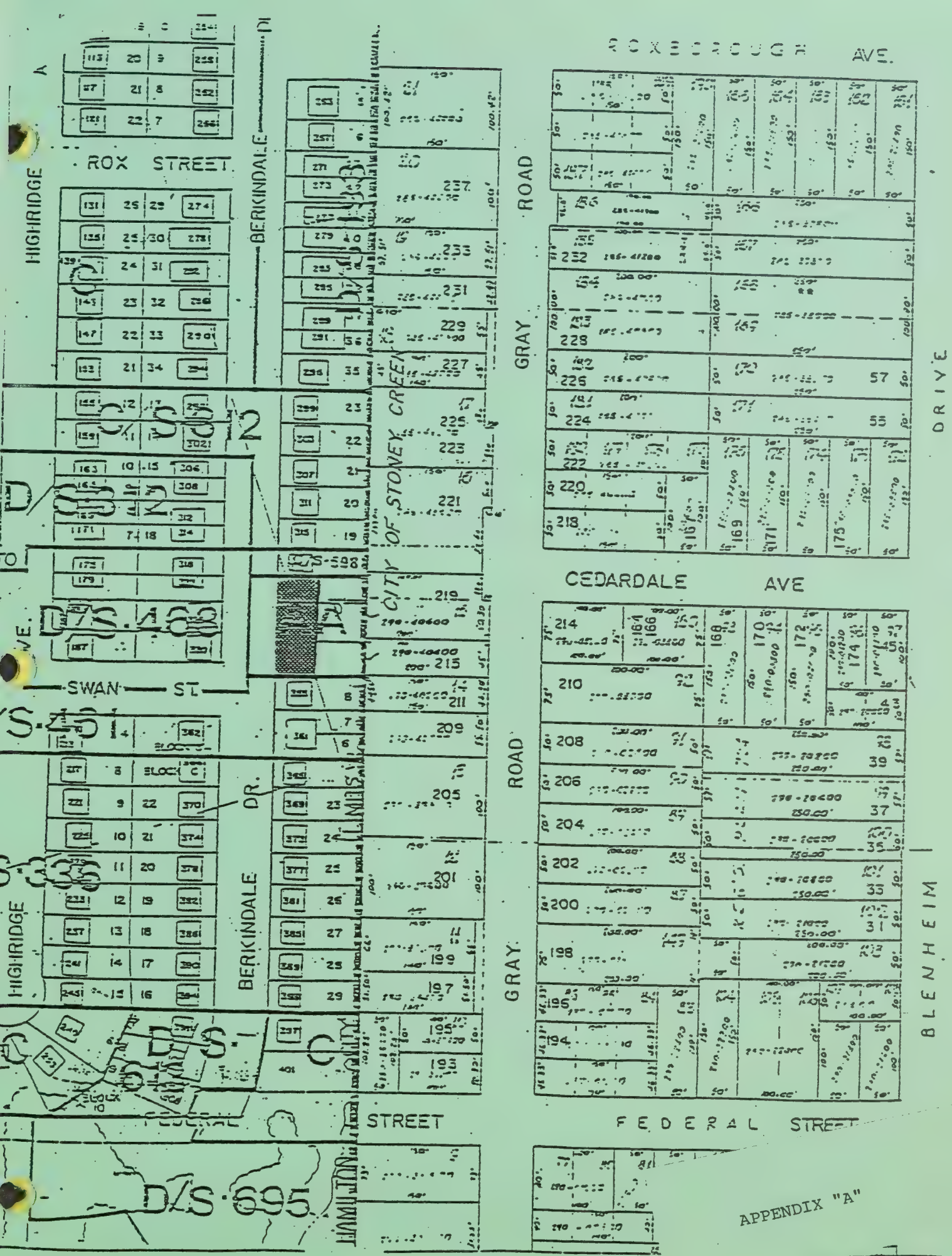
Respectfully submitted,

Alderman W. M. McCulloch, Chairman  
Planning and Development Committee

John D. Thompson, Secretary  
Planning and Development Committee

JDT:tb

1985 September



SITE OF THE APPLICATION

APPENDIX "A"

2435-40





SITE OF THE APPLICATION

APPENDIX "B"







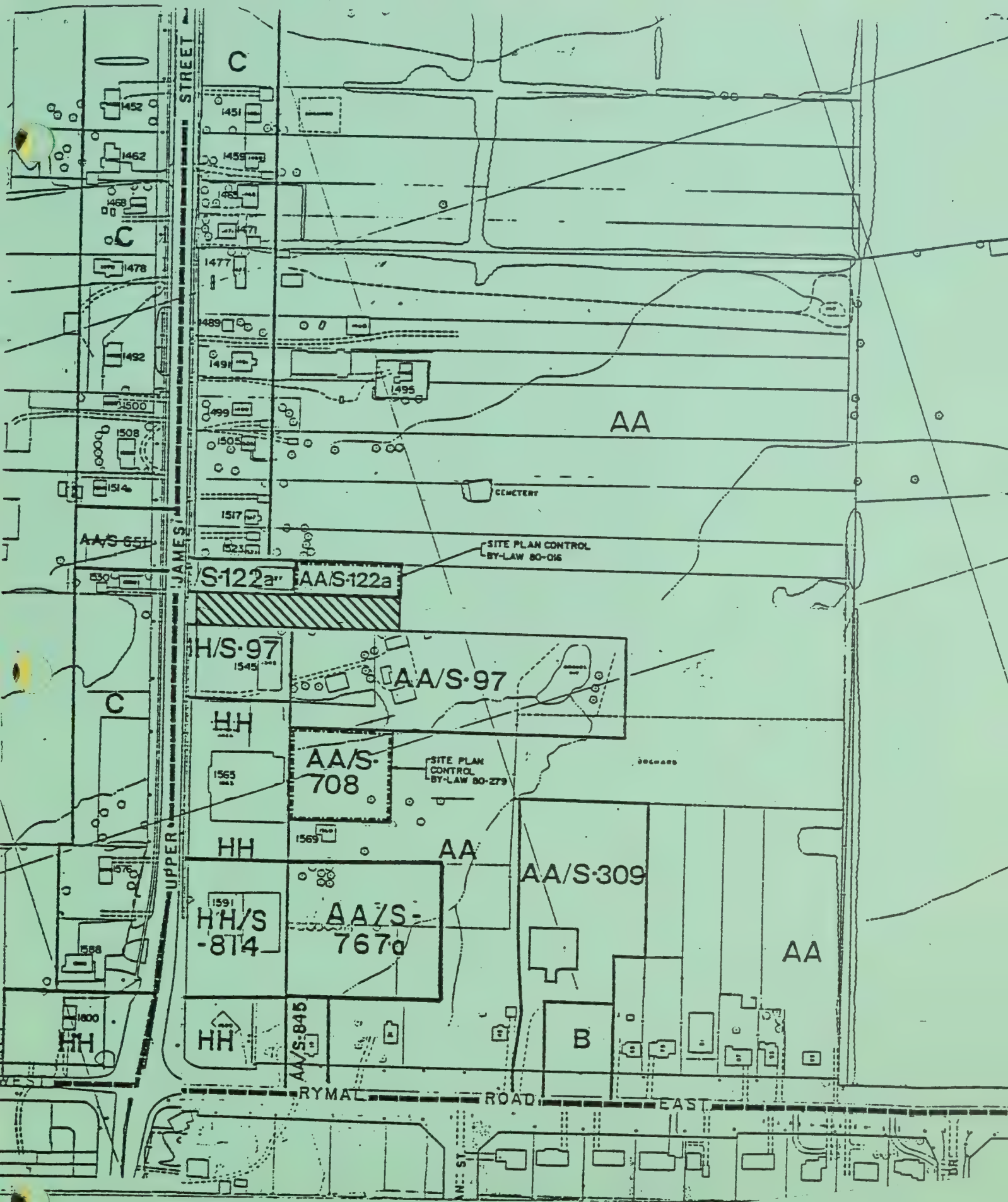


ZA85-69



SITE OF THE APPLICA

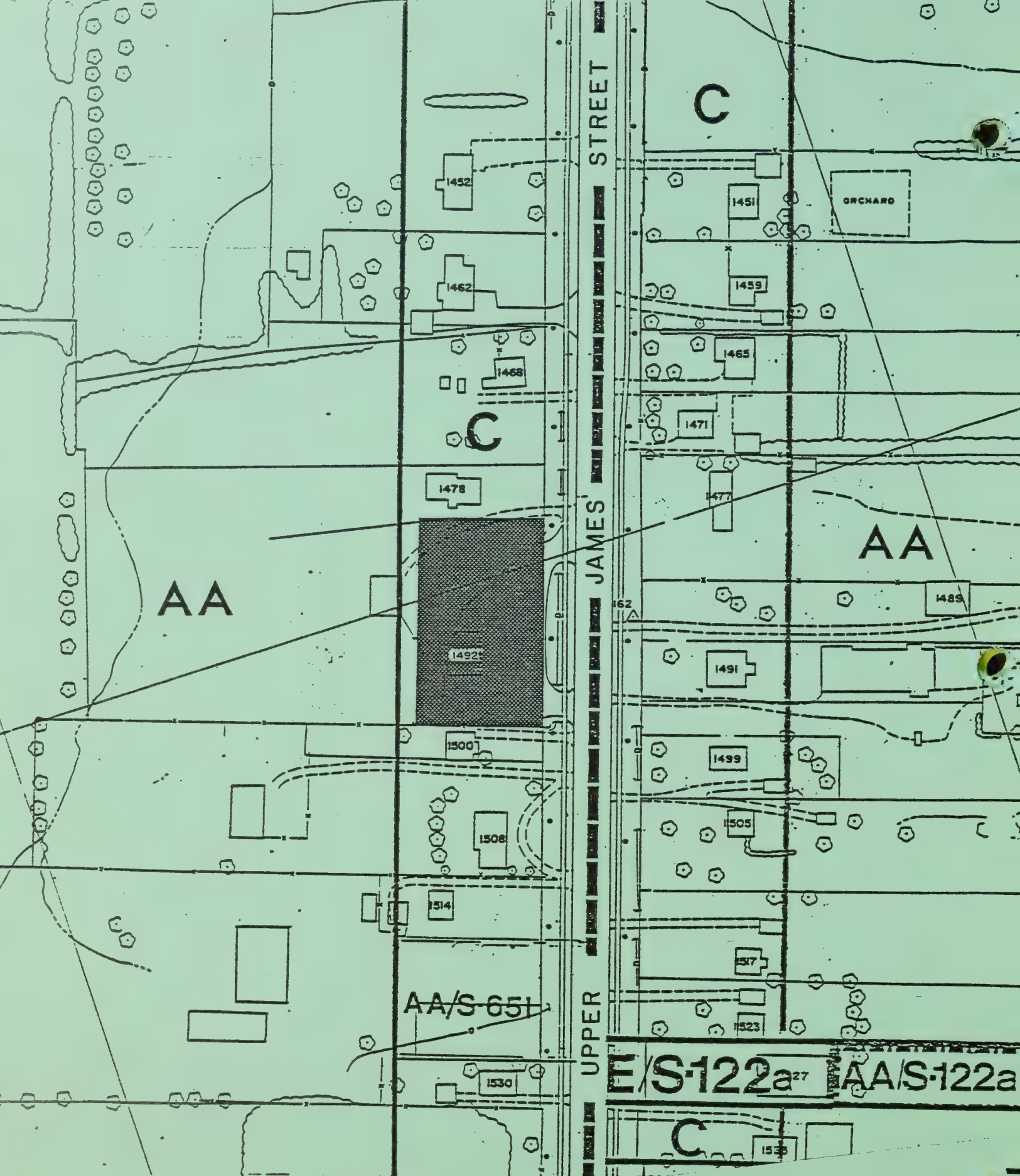
APPENDIX "D"



SITE OF THE APPLICATION

APPENDIX "E"





LEGEND



Site of the Application

APPENDIX "F"





SITE OF THE APPLICATION



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Planning and Development Department  
71 Main Street West, Hamilton, Ont. L8N 3T4

ITEM NO. 16

September 6, 1985

Refer to File No. P5-4-2-4  
Attention of  
Your File No.

TO: THE CHAIRMAN AND MEMBERS  
OF THE CITY OF HAMILTON  
PLANNING AND DEVELOPMENT COMMITTEE

SUBJECT

Housing Monitoring 1984

RECOMMENDATION


1. That this report be forwarded to Council for information.
2. That City Council, on behalf of the Municipal Non-Profit (Hamilton) Housing Corporation, request the Minister of Housing to provide Hamilton with allocation for 1986 in the order of 100 - 150 units.

EXPLANATORY NOTE

This report highlights population and housing production in the City of Hamilton for 1984.

Respectfully submitted,

  
V. J. Abraham, M.C.I.P.  
Director of Local Planning

  
J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development

APPENDIX "H"

## INTRODUCTION

Figures in this report are derived from the Regional Housing and Population Monitoring Report 1984.

## POPULATION

- New population figures for the City will not be available until the next municipal elections in 1985. The latest figures available are for 1982 and show 308,402 persons in the City.
- In 1982, the number of persons per occupied dwelling unit was 2.6 in Hamilton, the lowest in the Region.

## HOUSING PRODUCTION

- Net housing unit production in 1984 was 834 units, an increase of 43 units over the 1983 figure, but well below the new target of 1700 units.
- Housing starts totalled 651 units. Of this, 414 were singles, 10 semis, 141 row and 86 apartments.

## HOUSING UNIT INVENTORY

- The housing unit inventory consists of residential lots and units in blocks on plans of subdivision registered in 1984, vacant lots on previously registered plans and lots and blocks on plans which are draft approved and under consideration. The target is 5100 units. The total available in 1984 was 3727, or 73% of the target.

## RENTAL APARTMENTS

- The 1984 apartment vacancy rate was 0.7%.
- The vacancy rate for row houses was 0.3%.
- The apartment vacancy rate was lowest in the West End at 0.1%. On the Mountain it was 0.3%. In the downtown core it was 0.6%. In the East End, it was 0.7%. It was highest in the Central East and Central zone at 1.5%.

## CONDOMINIUMS

- 125 new condominium units and 382 conversions were registered, draft approved or under consideration.



### ASSISTED HOUSING

- Assisted housing units in the City totalled 9537.
- 1984 commitments by CMHC for Private Non-Profit and Cooperative Housing totalled 233 units for families and the handicapped.
- The Hamilton-Wentworth Housing Authority waiting list in December 1984 for families was 510, 93 for handicapped and 38 for seniors, totalling 641. In 1983, the waiting list totalled 978 applicants.
- Since only approximately 15% of the new Private Non-Profit and Cooperative housing units are for rent-geared-to-income tenants, the need for assisted housing remains high. The establishment of the Municipal Non-Profit (Hamilton) Housing Corporation will assist in this regard. In 1985, the Corporation was allocated 45 units which should be available for occupancy in 1986. The future contribution of this City Corporation, however, is contingent on a substantial increase in future annual allocations from the Province.

### HOUSING RENEWAL

- 221 housing units received funds totalling \$743,750 under the R.R.A.P. program.
- 4 units were funded to \$12,451 under the Hamilton Rehabilitation Program.
- The Hamilton Handicapped Program funded 14 units totalling \$63,481.
- 42 O.H.R.P. loans were approved for a total of \$102,053.
- 2 units received a total of \$59,725 under the Add-A-Unit Program for conversion of single-family housing to duplexes.
- 117 units received loans totalling \$484,413 under the Conserve-A-Unit Program for apartment rehabilitation.
- 15 units received funding totalling \$105,000 under the Convert-to-Rent Program.

### CONCLUSION

Housing production in 1984 remained relatively stable or increased slightly over 1983. Rental apartment and row house vacancy rates declined even though there was a good



supply of land available for apartment development. The Provincial programs designed to stimulate apartment conversions and rehabilitation appear to be assisting in the availability of rental units.

However, the availability of affordable rental housing for low-income families remains a concern. With few apartment starts, extremely low apartment vacancy rate, relatively low allocations under Federal programs and a high Hamilton-Wentworth Housing Authority waiting list for families, the need for affordable housing is high. The City's move into Municipal Non-Profit Housing will help but significantly higher unit allocations are required. The City should actively pursue this issue with the Minister of Housing.

VJA:RC:jd









## REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its FIFTEENTH Report for 1985 and respectfully recommends:

1. That permission be granted to the Pilot Club of Hamilton to fly their flag over City Hall from 1985 October 21-28 in connection with Pilot Week.
2. (a) That permission be granted to the United Nations Association to use the following City Hall facilities on Thursday, 1985 October 24 from 6:00 p.m. to 10:00 p.m. for United Nations Day ceremonies:
  - (i) Council Chambers
  - (ii) Second Floor Lobby
  - (iii) Aldermen's Lounge
- (b) That coffee be provided for 200 people at an estimated cost of \$100.00 and that this amount be charged to Account No. 0373-10-02 (Receptions, City Hall).
3. Approval of the action of the Legislation Committee in granting permission to the National Congress of Italian-Canadians to use the Council Chambers and the second floor lobby on Monday, 1985 October 7 from 7:30 to 9:30 p.m. in connection with Columbus Week and in providing coffee and cookies for 100 people at an estimated cost of \$105.00 to be charged to Account No. 0373-02-02 (Receptions, City Hall).
4. That 1985 October 16 be declared as World Food Day in the City of Hamilton.
5. That no action be taken with respect to the following resolution from the Township of Onondaga concerning bilingualism:

THE Council of the Corporation of the Township of Onondaga requests the support of all municipalities in the Province of Ontario on the issue of bilingualism.

WHEREAS most persons in Ontario are not of French-speaking origin, where in fact only 5.2% of the population is franco-phone; and

WHEREAS "where necessary" could be interpreted as one person's request for your municipal records to be provided in both English & French; and

WHEREAS Council proceedings would therefore have to be produced in both languages; and

WHEREAS the resolution on bilingualism was presented at the A.M.O. Convention late Monday afternoon, after many delegates were not present.

NOW THEREFORE BE IT RESOLVED THAT the Premier of Ontario and the Minister of Municipal Affairs and Housing be put on notice that the English language alone is sufficient to meet the need of most local Councils, and that in areas where French or any other language is required to correctly service a municipality, that the Municipal Council MAY if they so desire, supply such information by passing a by-law in Council.

6. (a) That a celebration be held in Hamilton to commemorate the 75th Birthday of Stelco at an estimated cost of \$2,100.00.
- (b) That the Finance Committee recommend the method of financing this celebration.

EXPLANATORY NOTE: For the information of the members of Council, it is the intention of the Legislation Committee to hold a birthday party in Gore Park for all of Hamilton to participate in.

Further, the Committee is also considering presenting at a later date a more permanent tribute to Stelco, i.e., a plaque.

7. That leave be granted to introduce the following bills:

Bill D-18      By-law to Amend By-law No. 85-148 Respecting Vicious Dogs.

Bill D-19      By-law to authorize exemption of certain areas from the Hours of Operation of Gasoline Stations Early Closing By-law No. 9396.

Respectfully submitted,

Alderman V. J. Agro, Chairman  
Legislation Committee

L. Dale, Secretary  
1985 September 22







## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance Committee presents its SEVENTEENTH Report for 1985 and respectfully recommends:

1. That the claims of the City and Mr. Dore against Mary C. Sadler, be settled in the amount of \$11 961.51 inclusive of interest and costs, which amount is to be paid to the City; and

That in accordance with the authority granted under Section 8(4) of the Workers Compensation Act, R.S.O. 1980, Chapter 539, payment of the surplus, after the deduction of the City's expenses and costs, in the amount of \$6 802.91, be made to Mr. Dore.

**NOTE:** On August 27, 1981, Allan B. Dore was operating a city motor vehicle when he was struck by a motor vehicle owned and operated by Mary C. Sadler, who had disobeyed a red light. Mr. Dore suffered injury to his neck and back. The preceding recommendation is as a result of a pre-trial before Judge Borkovich on May 17, 1985 and further negotiations with the solicitor for the insurers of Mrs. Sadler.

The Workers Compensation Act provides that in the event that Mr. Dore suffers any reoccurrence relating to this accident, the above mentioned sum of \$6 802.91 remains as a credit to the City and will be deducted from the amount of any further compensation or any other benefits to which Mr. Dore may become entitled to, from the Workers Compensation Board with respect to this accident.

2. That the claims of John William Barrowcliff and the City against Gabriel Frattinger be settled in the amount of \$32 932.70 inclusive of interest and costs; and

That out of the settlement of \$32 932.70, \$3 804.93 worth of sick days be returned to Mr. Barrowcliff's sick bank.

**NOTE:** On February 12, 1981, John William Barrowcliff, an employee of the City's Traffic Department, was assisting in lifting a wire cable just as Gabriel F. Frattinger drove over same in his motor vehicle catching the cable on the bumper of his vehicle throwing Mr. Barrowcliff, who had become entangled in the cable, over another motor vehicle and into a hydro truck. Mr. Barrowcliff suffered injury to his back and right leg. These injuries were aggravated a few months later on July 27, 1981 when he fell in the City Traffic garage because of oil on the floor. A pre-trial was held before Judge Borkovich on November 22, 1984

and after a series of negotiations since that date, the insurers for Mr. Frattinger have indicated that they are prepared to settle the claims as outlined above.

As the City's expenses total \$42 169.15, there will be no surplus to paid to Mr. Barrowcliff pursuant of the provisions to the Worker's Compensation Act R.S.O. 1980, Chapter 539. Mr. Barrowcliff also received a \$5 778.14 from his sick bank and it is recommended that out of the settlement of \$32 932.70, \$3 804.93 worth of sick days be returned to his sick bank.

3. That the claim of William Johnson against the City, be settled in the amount \$3,500 inclusive of interest and costs.

NOTE: By County Court writ issued October 15, 1981 William Johnson commenced action against the City for damages he suffered in a fall on a City sidewalk in the vicinity of 181 King Street East on July 17, 1981. He suffered injury to his right ankle and claimed damages of \$10 000 plus interest and costs. Mr. Johnson is now prepared to settle this matter for \$3 500 inclusive of interest and costs.

4. That the claim of Alma Irene Weller against the City, be settled in the amount of \$4 000 inclusive of interest and costs.

NOTE: By County Court Writ issued February 22, 1984, Alma Irene Weller commenced action against the City for damages she suffered as a result of a fall on a City sidewalk on the west side of Brunswick Avenue on November 25, 1983.

She suffered injury to her face and nose requiring suturing and resulting in some scarring and the flattening of her nose. She also suffered injury to her knees. She initially claimed \$30 000. plus interest and costs. Negotiations have taken place with her solicitor and she is now prepared to settle her claim for \$4 000 inclusive of interest and costs.

5. That a Convention/Reception Grant in the amount of \$648 be approved for the United Nations Association, to defray the costs of a reception in the Council Chambers on October 24, 1985, for approximately 250 participants.

NOTE: This grant to be financed by an appropriate transfer from Account No. 0374-1000, Convention/Reception Grants.

6. That approval be given to the leasing of 125 Wellington Street South to the Women's Centre of Hamilton-Wentworth at a monthly rental of \$500 (including taxes) commencing December 1, 1985.

7. Approval of the awarding of the following orders:

(a) HOLLAND CHEV. OLDS LTD., Burlington, Ontario

Supply and delivery of Compact Motor Vehicles, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

i)	One (1) Chevette Scooter.....	\$6,598.69
	Trade-in allowance on	
	Vehicle #1324 .....	350.00
	Price less trade-in .....	6,248.69
	Ontario Sales Tax 7% .....	437.40
	License Transfer.....	5.00
	Total Price	\$6,691.09
ii)	One (1) Chevette Scooter.....	\$6,598.69
	Trade-in allowance on	
	Vehicle #1345 .....	1,000.00
	Price less trade-in.....	5,598.69
	Ontario Sales Tax 7%.....	391.90
	License Transfer.....	5.00
	Total Price	\$5,995.59
iii)	One (1) Chevette Scooter.....	\$6,598.69
	Trade-in allowance on	
	Vehicle #1346.....	1,000.00
	Price less trade-in .....	5,598.69
	Ontario Sales Tax 7% .....	391.90
	License Transfer .....	5.00
	Total Price	\$5,995.59
iv)	One (1) Chevette Scooter.....	\$6,598.69
	Trade-in allowance on	
	vehicle #1347 .....	1,000.00
	Price less trade-in.....	5,598.69
	Ontario Sales Tax 7%.....	391.90
	License Transfer .....	5.00
	Total Price	\$5,995.59
v)	One (1) Chevette Scooter .....	\$6,598.69
	Trade-in allowance on	
	Vehicle #1351.....	1,000.00
	Price less trade-in.....	5,598.69
	Ontario Sales Tax 7% .....	391.50
	License Transfer.....	5.00
	Total Price	\$5,995.59



vi)	One (1) Chevette Scooter.....	\$6,598.69
	Trade-in allowance on	
	Vehicle #1358.....	1,000.00
	Price less trade-in.....	5,598.69
	Ontario Sales Tax 7%.....	391.90
	License Transfer.....	5.00
	Total Price	\$5,995.59
vii)	One (1) Chevette Scooter.....	\$6,598.69
	Trade-in allowance on	
	Vehicle #1452.....	1,000.00
	Price less trade-in.....	5,598.69
	Ontario Sales Tax 7% .....	391.90
	License Transfer .....	5.00
	Total Price	\$5,995.59
viii)	One (1) Chevette Scooter ....	\$6,598.69
	(No Trade-in)	
	Ontario Sales Tax 7% .....	461.90
	New License Plates .....	58.00
	Total Price	\$7,188.59

NOTE: Lowest of 4 tenders.

b) ROBERT SLESSOR PONTIAC BUICK INC., Grimsby, Ontario

Supply and delivery of Compact Motor Vehicles, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

(i)	One (1) Pontiac Acadian Scooter..	\$7,025.00
	Trade in allowance on	
	Vehicle #1451.....	1,475.00
	Price less trade-in.....	5,550.00
	Ontario Sales Tax 7%.....	388.50
	License Transfer.....	5.00
	Total Price	\$5,943.50
ii)	One (1) Pontiac Acadian Scooter...	\$7,025.00
	Trade in allowance on	
	Vehicle #1453.....	1,475.00
	Price less trade-in.....	5,550.00
	Ontario Sales Tax 7%.....	388.50
	License Transfer.....	5.00
	Total Price	\$5,943.50

NOTE: Lowest of 4 tenders.



8. Approval of the awarding of the following orders:

(a) ALL TRUCK TRANSPORTATION SERVICE, Hamilton, Ontario

Supply and delivery of Two (2) Garbage Packers Complete, without trade-in, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender

at \$63,743.00 each .....	\$127,486.00
Ontario Retail Sales Tax 7%.....	\$ 8,424.02
License Transfers.....	10.00
	<u>\$136,420.02</u>

NOTE: Lowest of 9 acceptable tenders.

(b) EASTGATE FORD SALES & SERVICE LTD., Hamilton, Ontario.

Supply and delivery of One (1) 5 Ton Snow Plow & Sanding Truck Complete, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the gross price of..... \$ 64,485.00

Less trade-in allowance on

Vehicle #9650 .....	2,200.00
Price less trade-in .....	<u>62,285.00</u>
Ontario Retail Sales Tax 7%.....	4,359.95
License Transfers.....	5.00
	<u>\$ 66,649.95</u>

NOTE: Lowest of 4 tenders.

(c) MARSH BROS. TRACTOR, INC., Copetown, Ontario

Supply and delivery of Two (2) Intergral Tractor Loaders in accordance with specifications issued by the Director of Purchasing and Vendor's tender as follows:

i) One (1) MF 50H Tractor Loader.....	\$ 28,474.64
Less trade-in allowance	
on Vehicle #9531.....	<u>10,000.00</u>
Price less trade-in.....	18,474.64
Ontario Retail Sales Tax 7%.....	1,293.22
	<u>19,767.86</u>

NOTE: Lowest of 3 tenders.

ii) One (1) MF 50H Tractor Loader.....	\$ 28,474.64
Less trade-in allowance	
on Vehicle #9537.....	<u>10,000.00</u>
Price less trade-in.....	<u>18,474.64</u>
Ontario Retail Sales Tax 7%.....	<u>1,293.22</u>
	<u>19,767.86</u>

NOTE: Lowest of 3 tenders.

9. That a 15 seater van be purchased rather than a regular cargo van which has approved by the Depreciation Committee for replacement;

That the additional \$4 800 required for this van be provided from the Depreciation Account No. 0280.

10. That the increased premium for Public Liability (Umbrella Policy) and Automobile Insurance (Excess Auto) in the amount of \$76 160 be financed by a transfer of Contingency Fund to Account No's. 0378-0742, 0378-0752 and 0378-0745.

11. That the estimated cost of the construction of the proposed support for Birks Clock, to go at the northwest corner of King and James Streets, for which the lowest tender received was \$28 800, be increased from \$20 000 to \$28 800; and

That the additional amount of \$8 800 be financed from the Reserve for Capital Projects, Account No. 0280-27, subject to receipt from Birks of acceptance of the proposed location, the responsibility for repair and return of the clock to Hamilton and ongoing responsibility for maintenance.

12. That a celebration to be held in downtown Hamilton in the Fall of 1985, to commemorate the 75th birthday of Stelco, at an estimated cost of \$2 100 be financed from a transfer from the City Clerks Advertising Account.

NOTE: Section 6 of the Fifteenth Report of the Legislation Committee makes reference to this matter and requests the Finance Committee to recommend the method of financing.

13. That the City Treasurer be authorized and directed to change the basis for the calculation of penalty and interest imposed on past due realty and business taxes from those procedures established in the The Municipal Act, to those procedures in The Municipal Interest and Discount Rates Act, 1982, which provide for a rate to be established at the highest prime rate of the Chartered Banks plus one and one-half percent. The new rates will continue to be imposed pursuant to The Municipal Act; and

That the new penalty and interest rates become effective in 1986 and that the City Solicitor be directed to amend City of Hamilton By-law 71-069 accordingly; and

That the prime rate to be used in the calculation of the new penalty and interest rate be based on the highest prime rate in effect at the Chartered Banks on the date the amending By-law is adopted by City Council.

14. That leave be granted to introduce the following bill:

- (a) Bill No. F-33: A by-law to confirm proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

Alderman I. Stout, Acting Chairman  
Finance Committee

R. C. Prowse, Acting Secretary  
1985 October 4th  
/dg









REPORT OF THE HAMILTON ARENA/TRADE CENTRE FOUNDATION, INC.

To the Council of the Corporation of the City of the City of Hamilton.

Members of Council:

The Hamilton Arena/Trade Centre Foundation, Inc. presents its  
THIRD Report for 1985 and respectfully recommends:

1. Whereas, in adopting Item 1 of the Second Report of the Hamilton Arena/Trade Centre Foundation, Inc. for 1985, City Council endorsed the replacement of the Directors of the Foundation and the subsequent appointment of the following members of the Victor K. Copps Arena/Trade Centre Fund Raising Committee to the Hamilton Arena/Trade Centre Foundation, Inc., Mr. Fred Muylaert, Mr. Ron Coburn, and Mr. Russell Boychuk; and

Whereas it is necessary to add additional members to the Foundation.

It is therefore recommended that City Council endorse the appointment of the following as Directors of The Hamilton Arena/Trade Centre Foundation, Inc.

Mr. John Manel

Mr. Ed Matthews

Mr. Brian Conacher

NOTE: For the information of the members of Council, Mr. E. Matthews will assume the role of Treasurer of The Hamilton Arena/Trade Centre Foundation, Inc.

Respectfully submitted,

Mr. Fred Muylaert  
President

Lynn Dale, Secretary  
1985 October 4





THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. \_\_\_\_\_

HAMILTON PUBLIC LIBRARY

07

TO CLOSE AND SELL A PORTION OF NAPIER STREET,  
FROM BAY STREET NORTH, TO 61.87 METRES (203  
FEET) WESTERLY DESIGNATED AS PARTS 1 & 2 ON PLAN  
62R-7789 IN THE CITY OF HAMILTON, IN THE  
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH  
AND TO CONVEY SUCH PART TO THE ABUTTING  
OWNER

WHEREAS the Council of The Corporation of the City of Hamilton  
is empowered under paragraphs (c) and (d) of sub-section (1)  
of Section 298 of The Municipal Act, being Chapter 302 of The  
Revised Statutes of Ontario, 1980, as amended,

- (a) to stop-up a part of a highway, and
- (b) to sell the soil and freehold thereof, and

WHEREAS Notice of this By-Law has been published as required by  
Section 301 of The Municipal Act, and

WHEREAS the Council of The Corporation of the City of Hamilton  
has heard all persons who applied to be heard no matter whether  
in objection to, or in support of this By-Law, and

WHEREAS it is deemed desirable and expedient to close and stop-  
up a portion of Napier Street, from Bay Street North, to 61.87  
metres (203 feet) westerly designated as Parts 1 & 2 on 62R-7789  
as hereinafter described, and to sell the said part to the  
abutting owner.

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON ENACTS AS FOLLOWS:

1. (1) The portion of Napier Street, from Bay Street North, to  
61.87 metres (203 feet) westerly designated as Parts 1 & 2  
on Plan 62R-7789 in the City of Hamilton, in the  
Regional Municipality of Hamilton-Wentworth is hereby  
closed and stopped up.
- (2) The Plan referred to in sub-section (1) of this section  
is attached hereto as Schedule "A" and forms part of  
this By-Law.

2. The portion of Napier Street, as described in Section 1, is to be conveyed to the abutting owners on or before the 30th day of October, 1985 for such sum as is determined by the Council, and the Mayor and the Clerk are hereby authorized to execute the requisite documents and to affix the corporate seal thereto.

ENACTED AND PASSED this                      day of                      , 19   .

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
MAYOR

By-law No. 85 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25A (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding to Section 5 (One Hour Limit) the following items, namely:-

"East 26th	West	Crockett to Queensdale
East 25th	West	from 82 ft. south of Concession to Crockett".

and by deleting therefrom the following item, namely:-

"East 25th	West	commencing 82 feet south of Concession and extending to a point 319 feet southerly therefrom".
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2. Schedule 25B (Parking Time Limits) is hereby amended by adding to Section 1 (Three Hour Limit) the following item, namely:-

"Barlake	North	commencing at a point 414 feet west of the north-south leg of Barlake to a point 164 feet westerly therefrom".
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3. Schedule 26 (No Parking Areas) is hereby amended:

(a) by deleting from Section A (No Parking Anytime) the following item, namely:-

"Lansdowne	North	From 142' east of Sherman to 86' easterly"
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and by adding thereto the following items, namely:

"Lansdowne	North	Sherman to Lottridge."
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(b) by deleting from Section C (No Parking 7:00 a.m. to 6:00 p.m.) the following item, namely:

"Homewood	South	From 90' west of Dundurn to 46' westerly."
-----------	-------	--

PASSED this                      day of                      , A.D. 1985.

City Clerk

Mayor

(1985) 17 R.T.E.C. 26, October 8

The Council of the Corporation of the City of Hamilton enacts as follows:

3

1

"Fiona (Easterly leg)	Southbound	Brigadoon
--------------------------	------------	-----------

Fiona Southbound Brigadoon."  
(Westerly leg)

2. Schedule 29 (No Stopping Areas) is hereby amended by deleting from Section A (No Stopping Anytime) the following item, namely:-

"Harmony West Barton to 73 feet north"

and by adding thereto the following item, namely:-

"Cumberland	South	commencing at a point 211 feet east of Sanford to a point 68 feet easterly therefrom."
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3. Schedule 30 (Commercial Loading Zones) is hereby amended by adding thereto the following item, namely:

"Homewood	South	47 feet	90 feet west of Dundurn	7:00 a.m. to 6:00 p.m. Monday to Saturday.
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PASSED this                      day of                      , A.D. 1985.

(1985) 17 R.T.E.C. 26, October 8



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

By-law No. 79-275

As Amended By:

By-law No. 82-220

Respecting:

**SITE PLAN CONTROL OF LAND LOCATED ON THE EAST SIDE OF  
UPPER WENTWORTH STREET IN THE AREA NORTH OF STONE CHURCH ROAD**

**WHEREAS** By-law No. 82-220, passed on the 12th day of October, 1982, amended By-law No. 79-275, passed on the 25th day of September, 1979, and established site plan control on the aforesaid land;

**AND WHEREAS** section 11 of the 24th Report of the Planning and Development Committee, adopted on August 27, 1985, required the removal of the requirement of site plan control on the said land.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 50 of Schedule "B" to By-law No. 79-275, as enacted by section 1 of By-law No. 82-220, is repealed.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor                      /

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 725 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district, to "R-4" (Small Lot Single-Family Detached) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "R-4" (Small Lot Single-Family Detached) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding clause 9A(2)(c) of By-law No. 6593, every single-family dwelling shall comply with the following,

(i) Intensity of Use Requirements:

- 1. Subject to paragraph 2, every lot or tract of land within the "R-4" District for a single-family dwelling shall have an average lot width of not less than 10.0 metres and an average lot area of not less than 306.0 square metres.

2. No lot or tract of land within the "R-4" District for a single-family dwelling shall have a lot width of less than 9.0 metres or a lot area of less than 278.0 square metres.

3. In paragraph 1,

(i) "average lot area" shall mean the numerical result obtained by dividing the sum of individual single-family lot areas by the total number of single-family lots zoned "R-4";

(ii) "average lot width" shall mean the numerical result obtained by dividing the sum of individual single-family lot widths by the total number of single-family lots zoned "R-4".

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-928".

5. Sheet No. E-38A of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-928".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this

day of

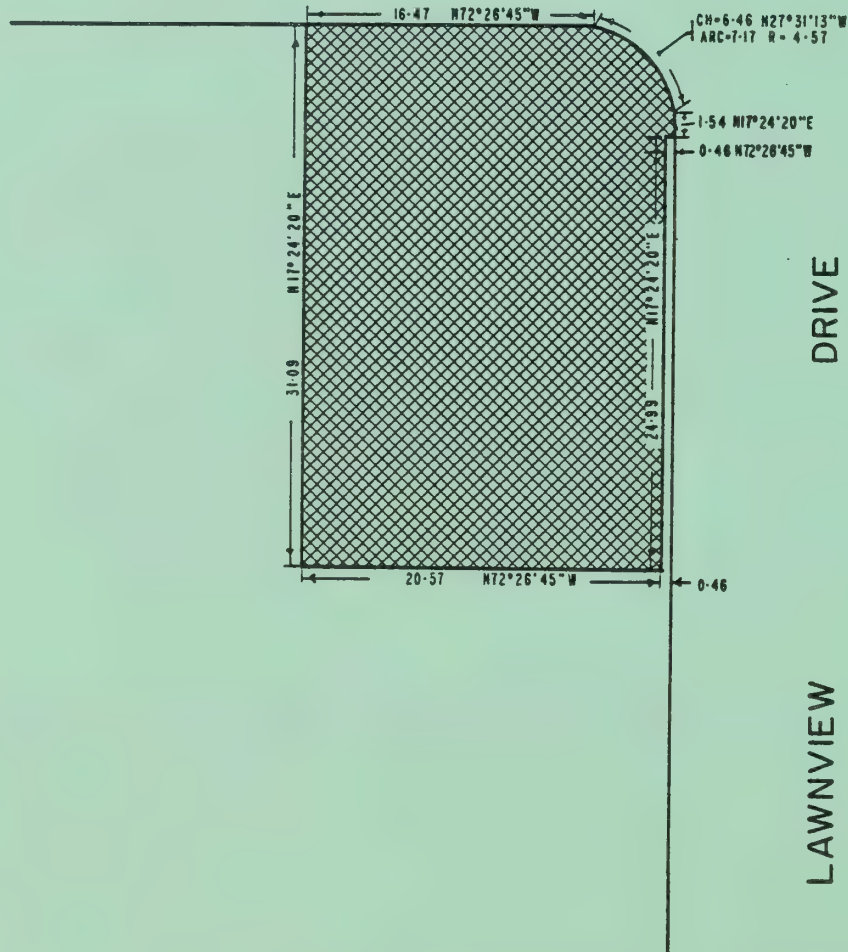
A.D. 1985.

City Clerk

Mayor

LAWNHURST

DRIVE



DRIVE

LAWNVIEW

LOT 8, CON. 6

ALL DIMENSIONS ARE  
IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85 -  
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



CHANGE IN ZONING FROM "C" (URBAN PROTECTED  
RESIDENTIAL, ETC.) DISTRICT TO "R-4" (SMALL  
LOT SINGLE-FAMILY DETACHED) DISTRICT.

North



Scale

N.T.S.

Reference File No.

ZA 85-53

Date

85-08-22

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 168 JACKSON STREET WEST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-3" (High Density Multiple Dwellings) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 11C(1) of By-law No. 6593, the following,

(i) COMMERCIAL USE shall not be prohibited:

1. Offices.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" district provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-930".

4. Sheet No. W-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-930".

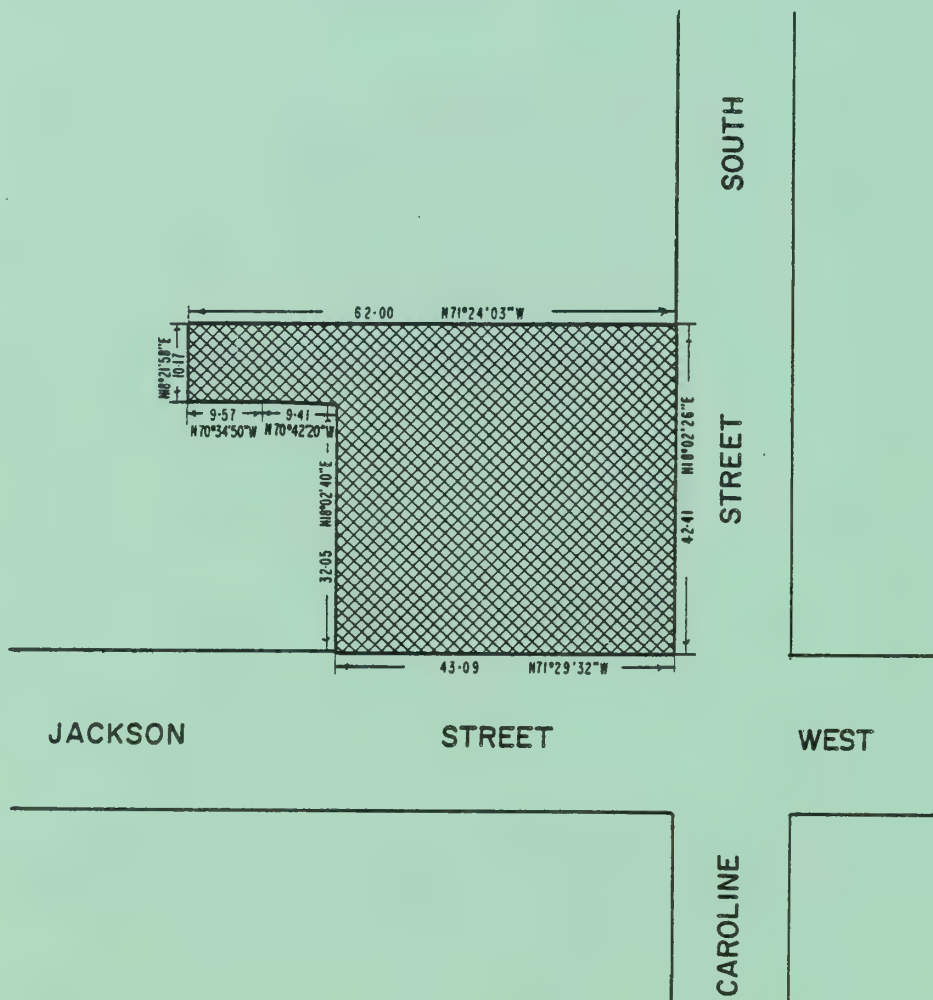
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 24 R.P.D.C. 6, August 27  
603990 Ontario Limited, Owner  
ZA-85-56



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

-----  
Clerk

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Mayor

**CITY OF HAMILTON**  
**SCHEDULE "A"**

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



LANDS TO BE REGULATED BY BY-LAW  
NO.85-

North



Scale

1 : 750

Reference File No.

ZA 85 - 56

Date

85-08-29

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 300 FENNEL AVENUE EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G-3" (Public Parking Lots) district provisions, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 13C(1) of By-law No. 6593, the following,

(i) ACCESSORY USE shall not be prohibited:

1. A vocational training school accessory to a union office or union hall, within the building existing on the day of the passing of this by-law;

(b) subclause 3(b)(iv) of TABLE 1 referred to in clause 18A(1)(a) of By-law No. 6593, shall not apply to the Accessory Use.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-929".

4. Sheets No. E-16 and E-17 of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-929".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

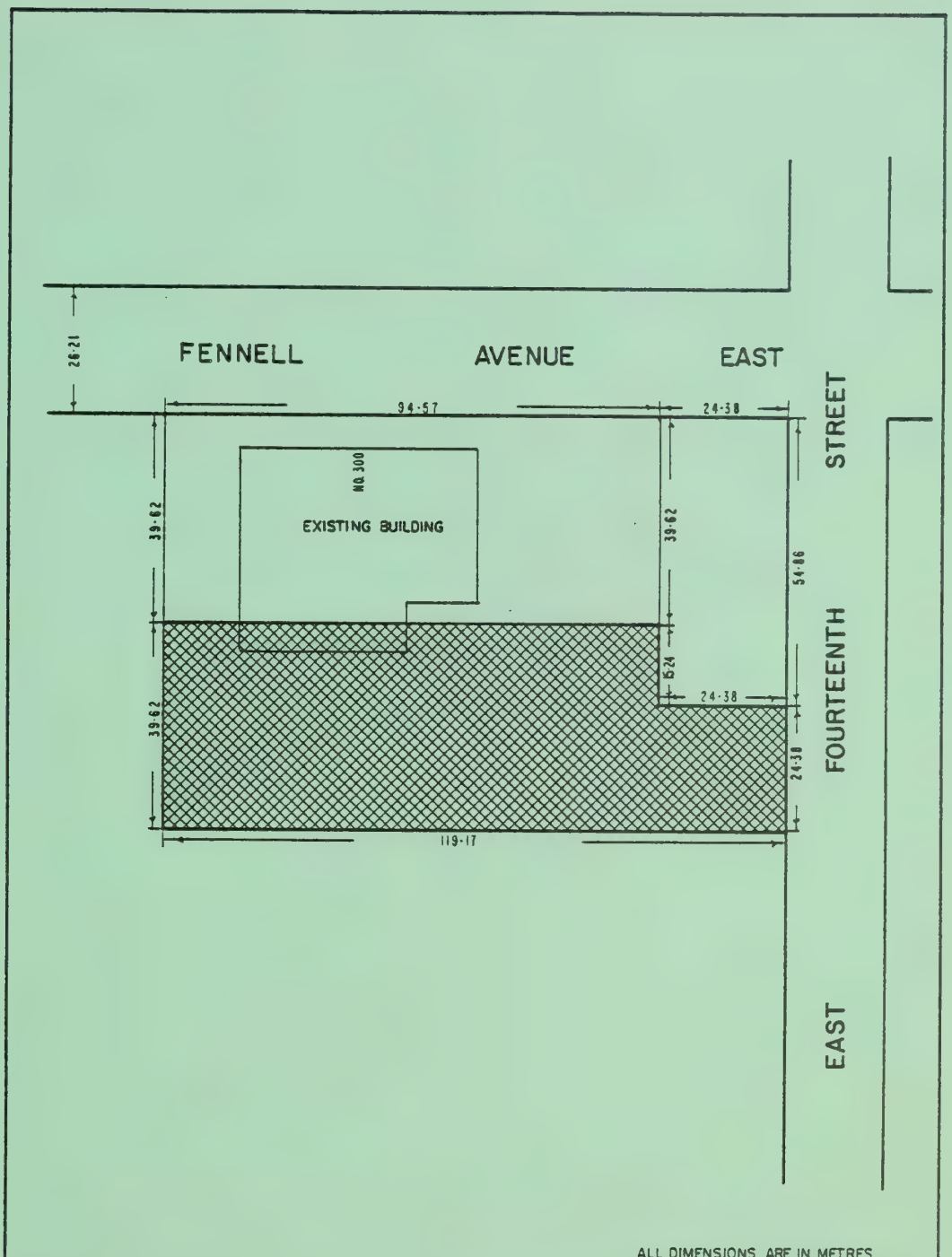
PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 24 R.P.D.C. 5, August 27  
Corporation 300 Fennell Avenue East, (Hamilton), Owner  
ZA-85-52





ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED BY BY-LAW  
NO.85-

North



Scale

1:1000

Reference File No.

ZA85-52

Date

85-08-27

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT THE SOUTH-WEST CORNER OF  
UPPER SHERMAN AVENUE AND QUEENSDALE AVENUE EAST**

**WHEREAS** it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. No. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 13(1) of By-law No. 6593, the following,

(i) **COMMERCIAL USE** shall not be prohibited:

1. The wholesaling and servicing of hearing aids and hearing aid accessories within the building existing on the day of the passing of this by-law.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" district provisions subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-931".

4. Sheet No. E-25 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-931".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

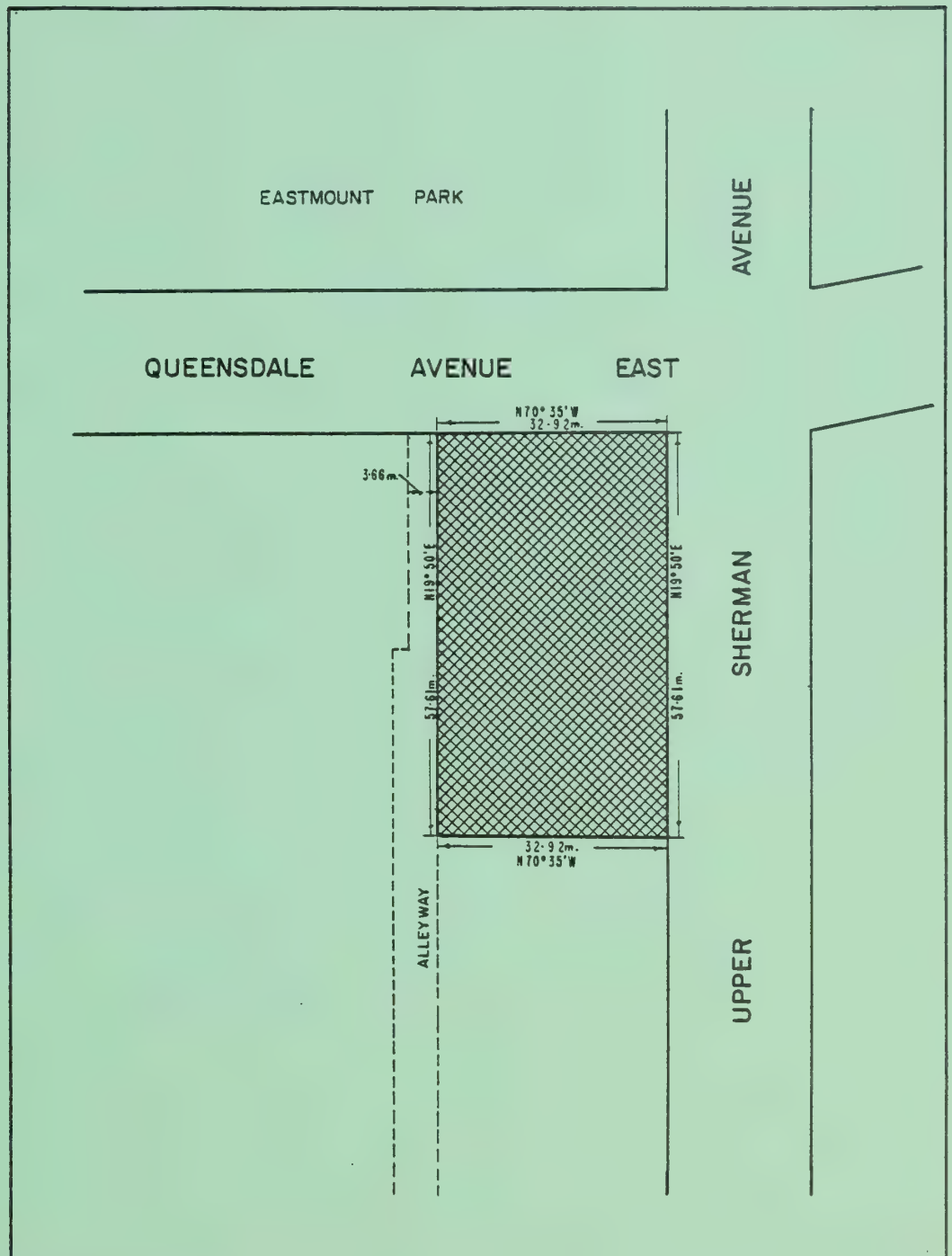
PASSED this

day of

A.D. 1985.

City Clerk

Mayor



THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

**CITY OF HAMILTON  
SCHEDULE "A"**

**MAP FORMING PART OF  
BY - LAW NO.85-**

**TO AMEND BY - LAW NO.6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



LANDS TO BE REGULATED BY BY-LAW NO.85-

North



Scale  
1:750

Reference File No.  
Z485-57

Date  
85-08-27

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law NO. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 1563 MAIN STREET WEST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-46 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district, to "G-3" (Public Parking Lots) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "G-3" (Public Parking Lots) district provisions applicable to the land referred to in section 1, are amended to the extent only of the special requirement that,

- (a) a planting strip having a width of not less than 1.5 metres shall be provided and maintained along the easterly side lot line which abuts a residential district.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" district provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-583a".



5. Sheet No. W-46 of the District Maps, is amended by marking the land referred to in section 1 of this by-law, "S-583a".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 24 R.P.D.C. 8, August 27  
570896 Ontario Limited, Owner  
ZA-85-51



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

# CITY OF HAMILTON

## SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY- LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



CHANGE IN ZONING FROM "C"(URBAN PROTECTED  
RESIDENTIAL, ETC.)DISTRICT TO "G-3"(PUBLIC  
PARKING LOTS)DISTRICT.

North



Scale

1:1000

Reference File No.

ZA 85-51

Date

85-8-28

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 65 WALNUT STREET SOUTH

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-5 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "L-mr-2" (Planned Development - Multiple Residential) district to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirement that,

- (a) subclause 1(g) of TABLE 1 referred to in clause 18A(1)(a) of By-law No. 6593, shall not apply to the dwelling unit existing on the day of the passing of this by-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-927".

5. Sheet No. E-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-927".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 24 R.P.D.C. 3, August 27  
DKL Securities, Prospective Owner  
ZA-85-49

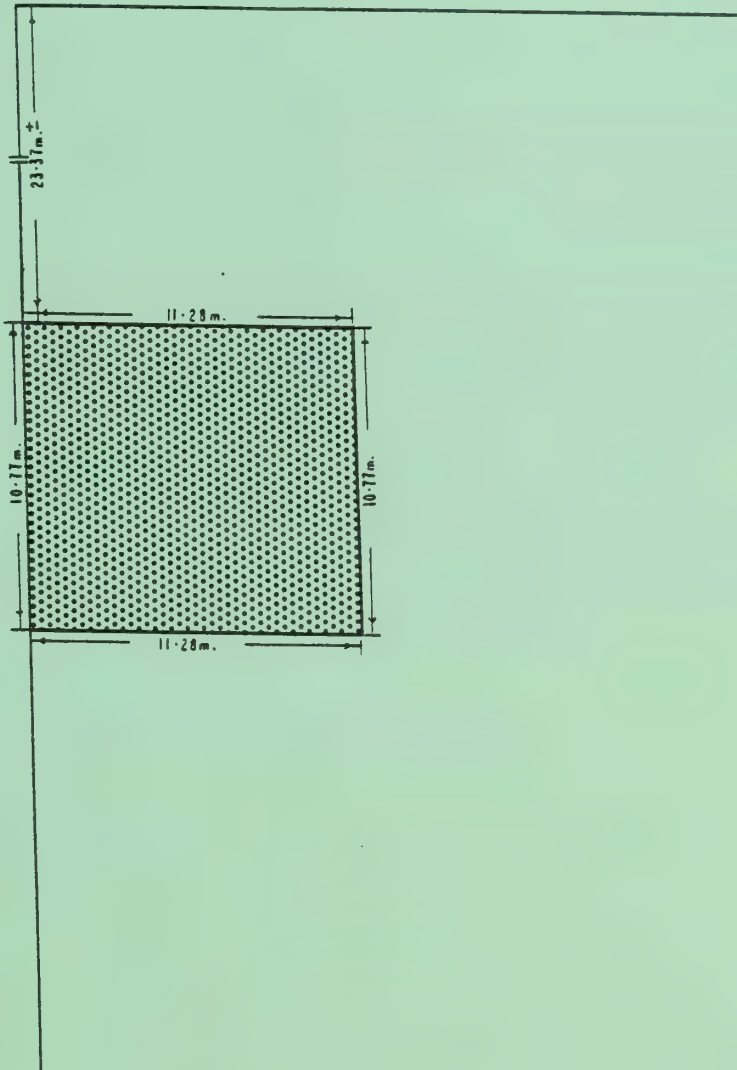


JACKSON ST. EAST

SOUTH

ST.

WALNUT



THIS IS SCHEDULE "A" TO BY-LAW NO. 85 -  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 85-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



CHANGE IN ZONING FROM "L-mr-2" (PLANNED  
DEVELOPMENT-MULTIPLE RESIDENTIAL)  
DISTRICT TO "E-1" (MULTIPLE DWELLINGS,  
LODGES, CLUBS, ETC.) DISTRICT.

North



Scale  
1:200

Reference File No.  
ZA85-49

Date  
85-08-21

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE WEST SIDE OF UPPER WENTWORTH STREET  
IN THE AREA SOUTH OF THE PROPOSED MOUNTAIN FREEWAY ALIGNMENT

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "R-4" (Small Lot Single-Family Detached) district, the land comprised in Block 2; and
- (c) by changing from "AA" (Agricultural) district to "R-4" (Small Lot Single-Family Detached) district, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as schedule "A".

2. The "R-4" (Small Lot Single-Family Detached) district provisions applicable to the land referred to in clause 1(c) are amended to the extent only of the special requirements that,

- (a) notwithstanding clause 9A(1)(a) of By-law No. 6593, the following,
  - (i) RESIDENTIAL USE shall not be prohibited:
    - 1. A Townhouse Dwelling.

- (b) notwithstanding clause 9A(1)(a) of By-law No. 6593, the Townhouse Dwelling shall comply with section 10D of the said by-law except subsections 10D(1) and (2).

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" district provisions mentioned in clause 1(c), subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-926".

5. Sheet No. E-18B of the District Maps is amended by marking the land referred to in clause 1(c) of this by-law, "S-926".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this

day of

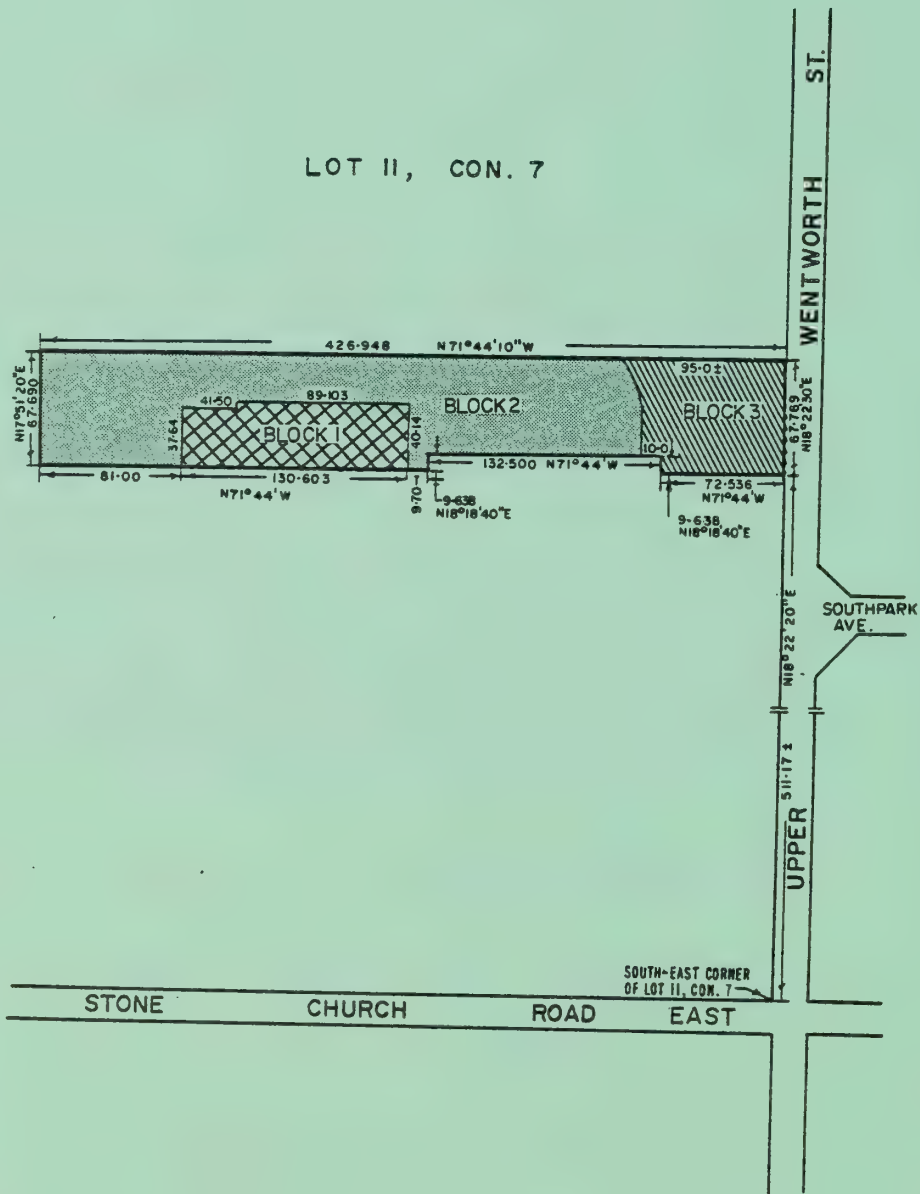
A.D. 1985.

City Clerk

Mayor

(1985) 24 R.P.D.C. 1(C), August 27  
Stone Church Holdings Limited, Owner  
ZA-85-22 and ZA-85-42

# LOT II, CON. 7



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.85-  
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.85-

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend

CHANGE IN ZONING FROM "AA" (AGRICULTURAL)  
DISTRICT TO:

BLOCK 1 "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

BLOCK 2 "R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT.

BLOCK 3 "R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT-MODIFIED

North



Scale  
N. T. S.

Date  
85-08-22

Reference File No.  
2A85-228 42

Drawing No.



The Corporation of the City of Hamilton

By-law No. 85-

The Retail Gasoline Early Closing By-law No. 9396

Respecting:

PARTS OF THE CITY OF HAMILTON  
TO WHICH BY-LAW NO. 9396 APPLY

WHEREAS By-law No. 9396 passed on the 29th day of June, 1961, in accordance with the predecessor to section 212 of the Municipal Act R.S.O. 1980, Chapter 302 as amended by By-law Nos. 10803, 78-286 and 81-49, provided for parts of the City of Hamilton to which the to which the by-law above apply;

AND WHEREAS it is intended to revise the parts of the City of Hamilton designated in the By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The title to Schedule "A" of By-law 9396 as amended by Section 3 of By-law No. 10803 is deleted and the following substituted in lieu thereof:

Part of the City of Hamilton designated in this by-law, except that part described in Schedule "B".

2. Schedule "A" to the said By-law is amended by adding attached thereof the following:

"save and except the parts of the City of Hamilton more particularly described as follows:

Firstly

In the City of Hamilton in the Regional Municipality of Hamilton-Wentworth in the Province of Ontario being composed of part of Lots 1 and 2, Registered Plan 1434 described as follows:

Premising that the southern limit of Main Street, as defined by Municipal Survey Number 710 has a bearing of North 71 degrees 58 minutes 30 seconds West (N 71° 58' 30" W) and relate all bearings herein thereto.

Commencing at a point at the southwesterly corner of the lands widened as Main Street by City of Hamilton By-law No. 73-310, which point may be arrived at as follows:

Beginning at the north east corner of the said Lot 1 Registered Plan 1434, being the intersection of the western limit of Dundurn Street and the southern limit of Main Street as defined by Municipal Survey 710.

Thence north seventy-one degrees fifty eight minutes thirty seconds West (N 71° 58' 30" W) along the said southern limit of Main Street a distance of one hundred and forty feet (140') to a point.

Thence south seventeen degrees thirty four minutes thirty seconds east (S  $17^{\circ} 34' 30''$  E) a distance of ten feet (10') to the point of commencement.

Thence south seventy-one degrees fifty eight minutes thirty seconds east (S  $71^{\circ} 58' 30''$  E) along the southern limit of Main Street as widened by By-law 73-310 a distance of eighty four feet (84') to a point of curve.

Thence southeasterly on a curve to the right having a radius of fifty-six point four six feet (56.46') an arc distance of eighty-eight point two three feet (88.23') more or less to a point in the western limit of Dundurn Street distant sixty six feet (66') measured southerly from the north east corner of the said Lot 1 the chord equivalent of the said arc being seventy nine point five two feet (79.52') measured on a course of south twenty-seven degrees twelve minutes east (S  $27^{\circ} 12'$  E).

Thence north seventy one degrees fifty eight minutes thirty seconds West (N  $71^{\circ} 58' 30''$  W) a distance of fifty feet (50') to a point.

Thence south seventeen degrees thirty four minutes thirty seconds west (S  $17^{\circ} 34' 30''$  W) a distance of fifty four feet (54') to a point.

Thence north seventy one degrees fifty eight minutes thirty seconds west (N  $71^{\circ} 58' 30''$  W) a distance of ninety feet (90') to a point.

Thence north seventeen degrees thirty four minutes thirty seconds east (N  $17^{\circ} 34' 30''$  E) thirty five feet (35') to a point.

Thence north seventy one degrees fifty eight minutes thirty seconds west (N  $71^{\circ} 58' 30''$  W) a distance of one hundred fifty eight point seven seven feet (158.77') more or less to a point in the north eastern limit of the lands of the Toronto, Hamilton and Buffalo Railway Company.

Thence northerly along the said north eastern limit of the said railway lands on a curve to the right having a radius of one thousand two hundred and three point one one feet (1203.11') an arc distance of eighty seven point six eight feet (87.68') a chord equivalent of eighty seven point six five feet (87.65') and measured on a course of north thirteen degrees seven minutes twenty five seconds west (N  $13^{\circ} 07' 25''$  W) to the southern limit of Main Street as widened.

Thence south seventy one degrees fifty eight minutes thirty seconds east (S  $71^{\circ} 58' 30''$  E) a distance of two hundred and three point four three feet (203.43') more or less to the point of commencement, as described in Instrument No 271420 C.D.

Secondly

In the City of Hamilton in the Regional Municipality of Hamilton-Wentworth in the Province of Ontario being composed of part of Lot 19, Concession 2 in the geographic Township of Barton, described as follows:

Premising that the bearings used herein are assumed and are referred to Dundurn Street on a course of north eighteen degrees no minutes east (N  $18^{\circ} 00'$  E).

Commencing at point in a line drawn parallel with and distant ten feet (10') measured westerly at right angles from the western limit of Dundurn Street (allowance for road between Township Lot numbers eighteen (18) and nineteen (19) Concession Two (2), Township of Barton), where it is intersected by a line drawn on a course of north sixty-five degrees twenty-six minutes thirty seconds west (N  $65^{\circ} 26' 30''$  W) from a point in the original western limit of Dundurn Street distant twenty-five and seven one-hundredths feet (25.07') measured thereon on a course of north eighteen degrees no minutes east (N  $18^{\circ} 00'$  E) from the original northern limit of King Street.

Thence north sixty-five degrees twenty-six minutes thirty seconds west (N  $65^{\circ} 26' 30''$  W) two hundred and three and seventy one-hundredths feet (203.70') more or less to a point in the eastern limit of the lands of one Hardwick.

Thence north twenty-degrees no minutes forty seconds east (N  $20^{\circ} 00' 40''$  E) along the eastern limit of the said lands of one Hardwick, seventy seven and thirteen one hundredths feet (77.13') to a point at the north eastern corner thereof.

Thence north seventeen degrees forty one minutes east (N  $17^{\circ} 41'$  E) forty eight and fifty three one hundredths feet (48.53') to a point distant eighty three feet (83.00') measured on a course of south seventeen degrees forty one minutes west (S  $17^{\circ} 41'$  W) from a point in the southern limit of Hunt Street, distant two hundred and twelve and seventy five one hundredths feet (212.75') measured westerly thereon from the western limit of Dundurn Street.

Thence South fifty eight degrees forty seven minutes fifty seconds east (S  $58^{\circ} 47' 50''$  E) twenty one and fifty seven one hundredths feet (21.57') to a point.

Thence south sixty two degrees fifty minutes east (S  $62^{\circ} 50'$  E) forty two and twenty five one hundredths feet (42.25') more or less to a point distant one hundred and forty nine feet (149.00') measured westerly parallel with the southern limit of Hunt Street from the western limit of Dundurn Street.

Thence south twenty degrees four minutes west (S  $20^{\circ} 04'$  W) fifty eight and ninety eight one hundredths feet (58.98') to a point.

Thence south fifty nine degrees no minutes east (S  $59^{\circ} 00'$  E) one hundred and forty two and ninety six one hundredths feet (142.96') more or less to a point in the aforesaid line drawn parallel with the western limit of Dundurn Street.

Thence south eighteen degrees no minutes west (S  $18^{\circ} 00'$  W) along the last mentioned parallel line forty-six and eleven one hundredths feet (46.11') to the point of commencement, as described in Instrument No. 34045 A.B.

### Thirdly

In the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth in the Province of Ontario and being composed of all of Lots 111, 112 and 113, and part of Lot 114 as shown on Registered Plan No. 646 described as follows:

Commencing at the south west corner of Lot 114.

Thence north eighty one degrees thirty three minutes east (N  $81^{\circ} 33'$  E) along the northern limit of Main Street fifty feet (50.00') to its intersection with the west limit of Newton Avenue, being the south east corner of the said Lot 114.

Thence north thirteen degrees forty three minutes east (N  $13^{\circ} 43'$  E) along the west limit of Newton Avenue a distance of forty one feet (41') to a point.



Thence south eighty two degrees thirty four minutes west (S 82° 34' W) and parallel to the southerly face of the southerly wall of brick dwelling no. 85 situated upon the middle portion of said Lot 114 a distance of sixty-five point five feet (65.5') more or less to a point in the west limit of Lot 114.

Thence northerly along the said west limit of Lot 114, being the east limit of Lot 113 to the north east corner of Lot 113.

Thence south eighty one degrees thirty three minutes west (S 81° 33' W) along the northern limit of Lots 113, 112 and 111 a distance of one hundred fifty feet (150') to the northwest corner thereof.

Thence southerly along the west limit of Lot 111 a distance of one hundred feet (100') to the south west corner thereof, being a point in the northern limit of Main Street.

Thence easterly along the northern limit of Main Street a distance of one hundred and fifty feet (150') to the point of commencement.

3. (1) This by-law takes effect on the 21st day of October 1985, being not less than one week nor more than two weeks after the date of passing.

(2) The City Clerk shall cause this by-law to be published once in the Spectator before October 21, 1985.

PASSED this            day of            A.D. 1985.

City Clerk

Mayor

(1985) 12 R.L.C. 15, August 27

The Corporation of the City of Hamilton

BY-LAW NO. 85-

To Amend:

By-law No. 85-148

Respecting:

**VICIOUS DOGS**

**WHEREAS** paragraph 1 of section 210 of The Municipal Act, R.S.O. 1980, Chapter 302 authorizes by-laws for "prohibiting or regulating the keeping of animals or any class thereof within the municipality or defined areas thereof...";

**AND WHEREAS** paragraph 6 of the said section authorizes by-laws for determining the compensation to be allowed for services rendered in carrying out the provisions of the Act with respect to animals impounded or distrained in possession of the distrainer;

**AND WHEREAS** By-law No. 85-148, passed on the 30th day of July, 1985, provides for the control and licensing of dogs;

**AND WHEREAS** The Hamilton Society for the Prevention of Cruelty to Animals, Inc. has been appointed pound-keeper in accordance with By-law No. 68-172, passed on the 11th day of June, 1985;

**AND WHEREAS** it is intended to prohibit the class of dogs described as "vicious dogs" in the City of Hamilton and to provide for their capture as hereinafter set out.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 85-148 is amended by adding thereto the following clause:

- (u) "vicious dog" means a dog that has bitten or attacked,
  - (i) the same person more than once;  
or
  - (ii) at least two persons.

2. The said By-law is amended by adding thereto the following section:

6a. Notwithstanding any other provision of this by-law, no person shall keep a vicious dog within the City.

3. Section 7 of the said by-law is amended by adding thereto the following clause:

(c) that is a vicious dog kept within the City contrary to section 6a.

4. Clause 11(c) of the said by-law is amended by striking out "two or more times in a calendar year", in the second and third lines.

5. Section 11 of the said by-law is amended by adding thereto the following clause:

(d) for a vicious dog, pay a pound fee of \$100.00 and \$25.00 per day or a portion thereof for each day the dog is in custody, and clauses (a), (b) and (c) shall not apply.

6. Section 14 of the said by-law is renumbered subsection 14(1) and is amended by adding thereto the following subsection:

(2) For the purpose of subsection 1, "reasons of safety to persons or animals" includes the reason that the dog is a vicious dog.

PASSED this                      day of                      A.D. 1985.

City Clerk

Mayor

(1985) 13 R.L.C. 10, September 10



BY-LAW NO. 85 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE                      DAY OF  
A.D., 1985

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1985

City Clerk

Mayor



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